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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas
William McMaster, Circuit Court Judge

Craig Hanna, ...Appellant

v.

Bradley J. Hanna and
Wilkie Development, LLC, ...Respondents.

RECORD ON APPEAL

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FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Chesterfield
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP1301093

Craig Hanna
PLAINTIFF(S)

Bradley J. Hanna et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (CHECK APPLICABLE BOX):
☐ Affirmed; ☐ Reversed; ☐ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

This matter came before the Court on May 7, 2025. Ty McTier appeared on behalf of the Plaintiff, Kevin Barth appeared on behalf of Defendant Bradley J. Hanna, and Paul Hoefer appeared on behalf of Defendant Wilkie Development, LLC. After hearing the arguments of the parties and a review of the filings in the case, Defendant Wilkie Development, LLC's Motion for Judgment on the Pleadings is Granted. Defense counsel is to prepare a formal order within 10 days.

It Is So Ordered.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/19/2025 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Case Number: 2024CP1301093

Type: Order/Electronic Form 4

So Ordered

William C. McMaster, III

Electronically signed on 2025-05-19 10:48:47 page 3 of 3

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Chesterfield
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP1301093

Craig Hanna
PLAINTIFF(S)

Bradley J. Hanna et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
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IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

This matter came before the Court on May 7, 2025. Ty McTier appeared on behalf of the Plaintiff, Kevin Barth appeared on behalf of Defendant Bradley J. Hanna, and Paul Hoefer appeared on behalf of Defendant Wilkie Development, LLC. After hearing the arguments of the parties and a review of the filings in the case, Defendant Bradley J. Hanna's Motion to Dismiss is Granted. Defense counsel is to prepare a formal order within 10 days.

It Is So Ordered.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☐ See Page 2 for additional information.

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Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Case Number: 2024CP1301093

Type: Order/Electronic Form 4

So Ordered

William C. McMaster, III

Electronically signed on 2025-05-19 10:21:50 page 3 of 3

STATE OF SOUTH CAROLINA)
COUNTY OF CHESTERFIELD)

IN THE COURT OF COMMON PLEAS

Craig Hanna,)
Plaintiff,)

Case No. 2024-CP-13-01093

vs.)

Bradley J. Hann and Wilkie)
Development, LLC,)
Defendants.)

ORDER GRANTING
DEFENDANT WILKIE
DEVELOPMENT, LLC'S
MOTION FOR JUDGMENT
ON THE PLEADINGS

THIS MATTER is before the Court on the Motion for Judgment on the Pleadings pursuant to Rule 12(c), SCRCP (the "Motion"), of Defendant Wilkie Development, LLC ("Defendant" or "Wilkie Development").

This Court heard the Motion on May 7, 2025, via Webex and the Court's virtual courtroom. Ty McTier appeared on behalf of the Plaintiff Craig Hanna, Kevin Barth appeared on behalf of Defendant Bradley J. Hanna ("B. Hanna"), and Paul Hoefer appeared on behalf of Wilkie Development. The Motion was granted via Form 4 Order entered May 18, 2025. This Order follows.

BACKGROUND

Plaintiff commenced this action by filing a Summons and Complaint on December 20, 2024, against B. Hanna and Wilkie Development asserting claims for (1) Breach of Fiduciary Duty (as to B. Hanna only), (2) Constructive Fraud (as to B. Hanna only), (3) Declaratory Action to Quiet Title (as to B. Hanna and Wilkie Development), and (4) Fraudulent Transfer (as to B. Hanna and Wilkie Development).

At the core of the Complaint, Plaintiff seeks an Order setting aside a conveyance evidenced by a deed dated February 3, 2022, and recorded on February 7, 2022 with the Register of Deeds for Chesterfield County, South Carolina in Book 544 at Page 455 (the “Subject Deed”). The grantors of the Subject Deed are B. Hanna as conservator for Georgia J. Hanna, Judy J. Speckman, Denise Herring as P.R. of the Estate of Betty J. Lundy, Zora J. Ritter, and Sandra J. Clodfelte. The grantee of the Subject Deed is Wilkie Development. The property conveyed by the Subject Deed includes a portion of TM No. 182-000-000-041 and a portion of TM No. 182-000-000-009, as more specifically described in the Deed (the “Property”).

According to allegations of the Complaint, Plaintiff is the son of Georgia J. Hanna, one of the previous owners of the Property and whose interest was conveyed by B. Hanna as her Court-appointed conservator.

Wilkie Development filed its responsive Answer on February 28, 2025. Thereafter, on April 23, 2025, Wilkie Development filed its Motion for Judgment on the Pleadings, pursuant to Rule 12(c), SCRCP, contending the Complaint fails to set forth any allegations that would entitle Plaintiff to judgment, and more specifically that Plaintiff lacks standing to bring this action or to challenge the conveyance or set aside the Subject Deed.

STANDARD

After the pleadings are closed, but within such time as not to delay the trial, any party may move for judgment on the pleadings. Rule 12(c), SCRCP. A judgment on the pleadings is proper where there is no issue of fact raised in a pleading that would entitle claimant to judgment if resolved in claimant’s favor. *Sapp v. Ford Motor Co.*, 386 S.C. 143, 146, 687 S.E.2d 47, 49 (2009) (citing *Russell v. Columbia*, 305 S.C. 86, 89, 406 S.E.2d 338, 339 (1991)). Judgment on the

pleadings is also proper where the pleadings are fatally deficient in substance or fail to state a good cause of action. *Rosenthal v. Unarco Indus., Inc.*, 278 S.C. 420, 422, 297 S.E.2d 638, 640 (1982).

ANALYSIS

For a plaintiff to have standing to bring an action, three elements must be satisfied: (1) plaintiff must have suffered an injury-in-fact, which is a concrete, particularized, and actual or imminent invasion of a legally protected interest; (2), a causal connection must exist between the injury and the challenged conduct; and (3) it must be likely that a favorable decision will redress the injury. *Carnival Corp. v. Historic Ansonborough Neighborhood Ass'n.*, 407 S.C. 67, 75, 753 S.E.2d 846, 850 (2014) (citing *Sea Pines Ass'n for the Prot. of Wildlife v. S.C. Dep't of Natural Res.*, 345 S.C. 594, 600-01, 550 S.E.2d 287, 291f-92 (2001)). “To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and ... actual or imminent” harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Here, Plaintiff has failed to set forth facts evidencing any ownership interest in the Property or any legitimate future interest he may have in the Property, and Plaintiff has failed to show actual injury suffered from the conveyance of the Property. Instead, Plaintiff alleges only that an interest in the Property “would flow to him.” (Complaint ¶ 19). Even if Plaintiff alleged a legitimate future interest he may have in the Property, the “mere expectancy or future interest fails to satisfy” the requirements set forth in *Lujan* that there be a “concrete and particularized” and “actual or

imminent” injury and not merely a “conjectural or hypothetical” one. *Meehan v. Meehan*, 2006 S.C. App. Unpub. LEXIS 28 *; 2006 WL 7285712.

Therefore, Plaintiff lacks standing to challenge the validity of the Subject Deed, and the Complaint fails to state a cause of action under which Plaintiff is entitled to relief against Wilkie Development. Accordingly, the Court grants the Motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Wilkie Development is entitled to judgment on the pleadings in this action, and all of Plaintiff’s claims asserted against Wilkie Development in this action are dismissed.

AND IT IS SO ORDERED.

[Judge’s signature page follows]



Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Case Number: 2024CP1301093

Type: Order/Other

So Ordered

William C. McMaster, III

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STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOURTH JUDICIAL CIRCUIT
COUNTY OF CHESTERFIELD	)	CASE NO. 2024-CP-13-1093
 Craig Hanna	)	
	)	
Plaintiff,	)	
	)	
v.	)	ORDER DISMISSING COMPLAINT
	)	(Order Ending Plaintiff's Case)
Bradley J. Hanna and	)	
Wilkie Development, LLC,	)	
	)	
Defendants.	)	
_____	)	

DATE OF HEARING.....MAY 7, 2025
 TRIAL JUDGE.....HONORABLE WILLIAM C.
 McMASTER, III
 PLAINTIFF'S ATTORNEY.....TY McTIER
 DEFENDANT HANNA'S ATTORNEY.....KEVIN M. BARTH
 DEFENDANT WILKIE'S ATTORNEY.....PAUL HOEFER

This matter is before the Court pursuant to the Motion to Dismiss filed by the Defendant, Bradley J. Hanna, on March 25, 2025, as well as the Motion for Judgment on the Pleadings filed by the Defendant, Wilkie Development, LLC on April 23, 2025.

Both Motions are based upon the claim that the Plaintiff has no legal standing to bring this action, since he had no interest in and to the property which is the subject of this action. The property in question belonged to Georgia Jo Hanna, the mother of the Plaintiff and Defendant, Bradley J. Hanna. All attorneys of record appeared at the hearing and presented oral arguments setting forth the respective positions of the parties. Additionally, the parties presented the Court with Memoranda setting forth the caselaw and facts supporting the respective positions.

Based upon the arguments of counsel, as well as a careful review of the entire file in this matter, I find that the Defendant Hanna's Motion to Dismiss should be granted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Plaintiff is the brother of the Defendant, Defendant, Bradley J. Hanna, and both are the sons of Georgia Jo Hanna. The property which is the subject of this action was owned by Georgia Jo Hanna and other members of her family at the time of the sale to Wilkie Development, LLC. Neither then, nor now, has the Plaintiff ever had any ownership interest in and to the property or the proceeds of the sale.

At the time of the sale of the property, Plaintiff was the Guardian for Ms. Hanna and Bradley was the Conservator for her. The sale was an arm's length transaction. Although it does not affect this action in any fashion, or this Court's decision, the sale of the property was not approved by the Probate Court as was required by the Order Appointing Bradley Hanna as Conservator. Again, whether or not the sale of the property was approved by the Probate Court does not change the fact that neither Plaintiff nor the Hanna Defendant had any interest in and to these sale proceeds, or the property prior to its sale.

Pursuant to S.C.R.C.P., Rule 12(b)(1), this Court does not have subject matter jurisdiction to hear this matter, as Plaintiff has no interest in and to the property which is the subject of this litigation or the sale proceeds and thus has no legal standing to bring an action for damages, or to set aside the sale. Additionally, pursuant to S.C.R.C.P., Rule 12(b)(6), because Plaintiff has no standing to bring this lawsuit, he has failed to allege facts that would constitute a valid cause of action. In other words, a plaintiff may proceed into the litigation process only when his complaint is justified by both law and fact. *Francis v. Giacomelli*, 588 F.3d 186, 193 (4th Cir. 2009). And the law is that for Plaintiff to bring the within suit, he must have "standing" to do so.

The "irreducible constitutional minimum of standing" requires (1) "an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or

hypothetical”; (2) “causation-a fairly traceable connection between the plaintiff’s injury and the complained-of conduct of the defendant”; and (3) “redressability-a likelihood that the requested relief will redress the alleged injury.” *Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 102-03, 118 S.Ct. 1003, 140 L.Ed.2d 210 (1998) (internal quotation marks and citations omitted); see *Friends of the Earth, Inc. v. Gaston Copper Recycling Corp.*, 204 F.3d 149, 154 (4th Cir.2000) (en banc) (same). “The standing doctrine, of course, depends not upon the merits, but on whether the plaintiff is the proper party to bring the suit.” *White Tail Park, Inc. v. Stroube*, 413 F.3d 451, 460 (4th Cir.2005).

“To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm’n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and ... actual or imminent” harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Closely related to the issue of lack of standing is the fact that Plaintiff cannot claim any damages that may be due to him as a result of the sale of this property. Plaintiff must allege “an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or hypothetical”, *Steele Co. supra*. The only damage Plaintiff claims in his Complaint is that he has been damaged by alleged losses that may occur in the future in the event he inherits from his mother upon her death. Plaintiff and Defendant Hanna’s mother is still alive. Thus, Plaintiff has suffered no actual damages as a result of this sale and would therefore not be entitled to any compensatory damages.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the Plaintiff's Complaint in this matter be dismissed without prejudice.

IT IS FURTHER ORDERED ADJUDGED AND DECREED THAT Defendant, Bradley J. Hanna's Counterclaim remain pending until that claim is heard by the Court.

AND IT IS SO ORDERED!

William C. McMaster, III
Circuit Judge, Fourth Judicial Circuit

_____, South Carolina

_____, 2025



Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Case Number: 2024CP1301093

Type: Order/Other

So Ordered

William C. McMaster, III

Electronically signed on 2025-05-28 15:37:12 page 5 of 5

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Chesterfield
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP1301093

Craig Hanna
PLAINTIFF(S)

Bradley J. Hanna et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled);
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- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (CHECK APPLICABLE BOX):
☐ Affirmed; ☐ Reversed; ☐ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

After careful consideration of the able argument and filings of counsel and review of the record, the Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or fact not appropriately considered. Accordingly, the Plaintiff's Motion to Reconsider is Denied.

It Is So Ordered.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/18/2025 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

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Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Case Number: 2024CP1301093

Type: Order/Electronic Form 4

So Ordered

William C. McMaster, III

Electronically signed on 2025-06-18 14:50:02 page 3 of 3

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTERFIELD

2024-CP-_____

CRAIG HANNA,

Plaintiff,

vs.

SUMMONS

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

TO THE DEFENDANT BRADLEY J. HANNA ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to the said Complaint on the subscribers at their offices, 2907 Providence Road, Suite 303, Charlotte, NC 28211, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court and judgment by default will be rendered against you for the relief demanded in the Complaint.

Respectfully submitted,

/s/ Ty K. McTier

Ty K. McTier
2907 Providence Road, Suite
303 Charlotte, North Carolina
28211 704-900-2215 | Direct
& Fax abackus@tlg-law.com
tmctier@tlg-law.com
Attorneys for Plaintiff

December 20, 2024.

Charlotte, North Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTERFIELD

2024-CP-_____

CRAIG HANNA,

Plaintiff,

vs.

SUMMONS

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

TO THE DEFENDANT WILKIE DEVELOPMENT, LLC ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to the said Complaint on the subscribers at their offices, 2907 Providence Road, Suite 303, Charlotte, NC 28211, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court and judgment by default will be rendered against you for the relief demanded in the Complaint.

Respectfully submitted,

/s/ Ty K. McTier

Ty K. McTier
2907 Providence Road, Suite
303 Charlotte, North Carolina
28211 704-900-2215 | Direct
& Fax abackus@tlg-law.com
tmctier@tlg-law.com
Attorneys for Plaintiff

December 20, 2024.

Charlotte, North Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTERFIELD

2024-CP-_____

CRAIG HANNA,

Plaintiff,

vs.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

COMPLAINT
(Jury Trial Demanded)

PLAINTIFF Craig Hanna complains of Bradley J. Hanna ("Bradley Hanna"), Wilkie Development, LLC ("Wilkie") (together the "Defendants") as follows:

1. Craig Hanna is a citizen and resident of Florence County, South Carolina.
2. Ms. Hanna is a protected person under South Carolina law and is a citizen and resident of Florence County, South Carolina.
3. Upon information and belief, Bradley Hanna is a citizen and resident of Florence County, South Carolina.
4. Bradley Hanna and Craig Hanna are brothers and their mother is Ms. Hanna.
5. Upon information and belief, Wilkie is a limited liability company with its principal place of business in Lexington County, South Carolina.
6. In or around December 2018 Probate Judge for Florence County, South Carolina signed an order granting guardianship on behalf of Craig Hanna and appointing Bradley Hanna as Conservator (the "Order").
7. A true and accurate copy of the Order is attached hereto as Exhibit A and incorporated herein via reference.
8. The Order required that any transfer of property be approved by the Court via an Order.
9. Unfortunately on February 7, 2022, upon information and belief, Bradley Hanna conveyed a large piece of Property without Court Approval (the "Wilkie Deed").
10. A true and accurate copy of the Wilkie Deed is attached hereto and incorporated herein via reference as Exhibit B.

11. Wilkie still owns property with tax parcel number 182-000-000-041 (the "Property").
12. Upon information and belief timber has been rigorously harvested from the Property in further violation of the Order.
13. Ms. Hanna an interest in the Property that was conveyed in violation of the Order.
14. The proceeds of the sale (the "Proceeds") should have remained in Ms. Hanna's estate.
15. Upon information and belief, the Proceeds should have been used to take care of Ms. Hanna, but instead were pocketed by Bradley Hanna.

FIRST CAUSE OF ACTION
(Breach of Fiduciary Duty, Plaintiff v. Bradley Hanna)

16. The preceding allegations are incorporated herein by reference.
17. Bradley Hanna has a fiduciary duty to not only account for the property of Ms. Hanna's estate and to file the appropriate accounting, but also to abide by the Order and not dispose of any property without prior court approval.
18. Bradley Hanna had no authority to convey Ms. Hanna's interest in the Wilkie Deed.
19. This fraudulent conveyance is a breach of fiduciary duty both to Ms. Hanna and also to his brother's interest in the portion of Ms. Hanna's estate that would flow to him.
20. Plaintiff has been damages in an amount exceeding \$25,000.00 as a direct and proximate result of Bradley Hanna's breach of fiduciary duty.

SECOND CAUSE OF ACTION
(Constructive Fraud, Plaintiff v. Bradley Hanna)

21. The preceding allegations are incorporated herein by reference.
22. Aside from being a breach of fiduciary duty, Bradley Hanna's actions in selling the property in violation of the Order and by not using the proceeds to take care of his mother amount to constructive fraud and the title to the Property must be placed back in its proper owner, Ms. Hanna.

THIRD CAUSE OF ACTION
(Declaratory Action to Quiet Title, Plaintiff v. All Defendants)

23. The preceding allegations are incorporated herein via reference.
24. An actual and justifiable controversy exists between the parties.
25. A judicial determination and judgment reversing the transaction is required to put the parties in the status quo before the transfer of the Property.

FOURTH CAUSE OF ACTION
(Fraudulent Transfer, Plaintiff v. All Defendants)

26. The preceding allegations are incorporated herein via reference.
27. The Property was conveyed both fraudulently by Bradley Hanna and in violation of the Order.
28. The transfer of the Property should be reversed and all funds accounted for.

WHEREFORE, Plaintiff respectfully prays the Court:

- 1) For judgment on each of its claims in an amount to be determined by the Court;
- 2) For pre-judgment interest and post-judgment interest as provided by law;
- 3) For the award of reasonable attorney fees as provided by South Carolina law;
- 4) For costs of the Court;
- 5) That this matter be tried by a jury; and
- 6) For such other and further relief as the Court shall deem just and proper.

THIS THE 20TH DAY OF DECEMBER, 2024.

TLG LAW

/s/ Ty K. McTier
Ty K. McTier
2907 Providence Road, Suite 303
Charlotte, North Carolina 28211
704-269-4910 | Direct & Fax
Attorneys for Plaintiff

STATE OF SOUTH CAROLINA

PROBATE COURT

COUNTY OF FLORENCE

CASE NO: 2018-GC-21-41

2018-GC-21-44

IN THE MATTER OF:

GEORGIA JO HANNA

ORDER

2018 DEC 27 AM 8:09

This matter came before me as a result of the filing of a Summons and Petition for a Finding of Incapacity, Protective Order and Appointment of Conservator filed on August 1, 2018, as well as a Summons, Petition for Finding of Incapacity and Appointment of a Guardian filed on July 12, 2018.

A hearing on the Petitions was held on November 19, 2018 beginning at 2:00 P.M., in the Florence County Probate Court. Present at the hearing were the Petitioner, Bradley J. Hanna and his attorney of record Saunders M. Bridges, Jr. of Florence; Respondent Craig Hanna and his attorney of record Gregory D. Ammons of Florence; the Court Appointed Guardian ad litem and attorney for the protected person, Kathy Price Elmore of Florence; the person for whom protection is sought, Georgia J. Hanna and several friends and relatives. A review of the record shows that all Interested Parties were properly served with all pleadings and a notice of hearing.

In a response to the original Petitions, Craig J. Hanna had denied that Georgia J. Hanna was an incapacitated person and objected to the appointment of Bradley J. Hanna as Guardian or as Conservator. Craig Hanna sought his own appointment as Guardian and Conservator. At the commencement of the hearing Craig Hanna joined in the Petition for a Finding of Incapacity and withdrew his request to be appointed as Conservator.

The Guardian ad litem joined in the request for a finding of incapacity.

Three issues were before the Court:

[illegible][illegible]

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the investigation. The investigator must identify the problem and the scope of the investigation. The investigator must also identify the objectives of the investigation and the methods to be used. The investigator must also identify the resources available for the investigation.

1. Whether the Respondent, Georgia J. Hanna, is an "incapacitated person" as defined in S.C. Probate Code §62-5-101 ((1) "Incapacitated person" means any person who is impaired by reason of mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, or other cause (Except minority) to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his person or property);

2. If determined that the Respondent is an incapacitated person, whether she would need the appointment of a Guardian pursuant to S.C. Probate Code §62-5-303 and the appointment of a Conservator to manage her financial affairs under S.C. Probate Code §62-5-303.

3. The appropriate person to be named and act as Guardian and as Conservator.

2
JMS
Based on a review of the file and evidence presented at the time of the hearing I find that pursuant to S.C. Code Ann. §§62-5-102, 62-5-303, and 62-5-401 that this Court has the jurisdiction over the Petitions for Appointment of the Guardian and Conservator. I further find that pursuant to S.C. Code Ann. §§62-5-302 and 62-5-403 venue is proper in that the protected person is a resident of Florence County.

The Court has reviewed the Visitor's Report and Examiner's Report submitted by the Court Appointed Visitor and Examiner, Maxine L. McClain. The Court reviewed the SLED Criminal Background check of Bradley J. Hanna and the credit report produced by Bradley J. Hanna pursuant to the Court's instructions. The Court received no criminal check or creditor's report from Craig Hanna. The Court also reviewed the Doctor's Affidavit regarding capacity,

took testimony at the hearing from both Craig Hanna and Bradley J. Hanna; from the long-time attorney for the Hanna family, Gary Crawford of Florence; and from Mr. Crawford's Office Manager, Becky Crawford. The Court also took testimony from several friends and relatives of Georgia J. Hanna. The Court also reviewed the Power of Attorney executed in 2012 by Georgia J. Hanna appointing Bradley J. Hanna as her Attorney in Fact. Finally, the Court interviewed and talked with Georgia J. Hanna in depth in open court. Additional documentary records, including financial records, were entered into evidence.

As a result of the review of the Visitor's Report, Examiners' Reports, Doctor's Affidavit Regarding Capacity, exhibits, and the testimony taken at the hearing, I find that Georgia J. Hanna is a Protected Person pursuant to S.C. Code §62-5-101 and is therefore in need of a Guardian and Conservator to be appointed to handle her personal and business affairs.

I find that Craig Hanna is a fit and proper person to serve as Guardian.

I find that Bradley J. Hanna is a fit and proper person to serve as Conservator.

Pursuant to the testimony and exhibits I find that Bond in the amount of Five Hundred Thousand and no/100 (\$500,000.00) Dollars is appropriate. I further find that payment of Attorney fees, costs and expenses of this action, including the fees of the Guardian ad litem and the bond premiums should be paid from the funds of the Protected Person.

The Conservator shall file the Inventory and Appraisement and Conservator's Oath within thirty (30) days with the Court and will make annual accountings thereafter. The Guardian will submit a Guardian Report to the Court annually.

The Conservator shall not pay compensation to himself from the assets of the estate without Court approval. Further, the Conservator may not change the character of the estate

which is over \$100,000 and shall exceed \$100,000 in the amount of the award. The award shall be made in favor of the party who has proven its case by a preponderance of the evidence.

The court finds that Craig Hanks is residing in the home owned by the defendant for the purpose of the defendant's business and that the defendant is the owner of the property. The court finds that the defendant is the owner of the property and that the defendant is the owner of the property. The court finds that the defendant is the owner of the property and that the defendant is the owner of the property.

The court finds that the defendant is the owner of the property and that the defendant is the owner of the property.

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without court approval and shall expend assets of the Protected Person other than normal and routine living expenses of the Protected Person, only pursuant to court order.

The court finds that Craig Hanna is residing in the home owned by and maintained for the benefit of the Protected Person, and that Craig Hanna is using credit cards and making cash withdrawals from the account of the Protected Person. The Court finds that it is necessary for the Conservator, in order to properly perform his duty, to have full and unfettered access to the home and property of the Protected Person and to the Protected Person herself, and that it is necessary for the Conservator to receive a full, complete, and documented accounting of all expenditures from the funds of the Protected Person on a monthly basis.

 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Georgia J. Hanna is an incapacitated person in need of an Appointment of a Guardian and a Conservator to handle her personal and business affairs. Craig Hanna is hereby appointed as Guardian. Bradley J. Hanna is hereby appointed as Conservator upon the posting of the bond in the amount of Five Hundred Thousand and no/100 (\$500,000.00) Dollars.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Guardian shall document any and all expenditures from the accounts and funds of the Protected Person and within the first ten (10) days of each calendar month shall provide to the conservator a full and complete listing and accounting of each such expenditure, whether by cash, credit card, or any other method, including receipts for each such expenditure. The Guardian shall not utilize the funds of the Protected Person for the Guardian's personal benefit. The Guardian shall not allow the use of any credit card of the Protected Person or any other assets of the Protected Person by any other person whatsoever.

TO THE HONORABLE JUDGE OF THE COMMON PLEAS COURT OF CHESTERFIELD COUNTY, OHIO
FROM: [Name Redacted]
SUBJECT: [Name Redacted]
I, [Name Redacted], do hereby certify that the foregoing is a true and correct copy of the [Name Redacted] as filed with the Clerk of the Court on [Date Redacted].
[Signature Redacted]
[Name Redacted]

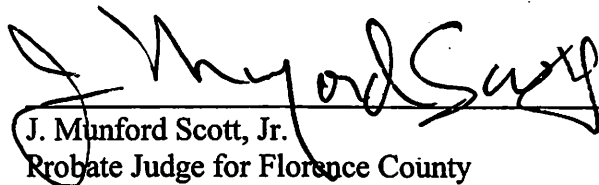
TO THE HONORABLE JUDGE OF THE COMMON PLEAS COURT OF CHESTERFIELD COUNTY, OHIO
FROM: [Name Redacted]
SUBJECT: [Name Redacted]
I, [Name Redacted], do hereby certify that the foregoing is a true and correct copy of the [Name Redacted] as filed with the Clerk of the Court on [Date Redacted].
[Signature Redacted]
[Name Redacted]

TO THE HONORABLE JUDGE OF THE COMMON PLEAS COURT OF CHESTERFIELD COUNTY, OHIO
FROM: [Name Redacted]
SUBJECT: [Name Redacted]
I, [Name Redacted], do hereby certify that the foregoing is a true and correct copy of the [Name Redacted] as filed with the Clerk of the Court on [Date Redacted].
[Signature Redacted]
[Name Redacted]

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Guardian shall not deny, hinder, or otherwise interfere with the Conservator's access to the home of the Protected Person for purposes of visitation, inspection, maintenance, and inventory.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Guardian shall not deny, hinder, or otherwise interfere with access by the Conservator or other family members of the Protected Person to the Protected Person, including taking the Protected Person for medical care and attention, visits, meals, social occasions, and other normal family activities. The Guardian shall execute such documents and authorizations as may be necessary and required to allow the Conservator access to the Protected Person's medical records, physicians and other healthcare providers.

5 IT IS SO ORDERED.


J. Munford Scott, Jr.
Probate Judge for Florence County

Florence, South Carolina

Date: 27 Day of December, 2018

FILE #7848A
McLeod & Ruffner
222 Market St.
P.O. Drawer 1449
Cheraw, SC 29520

Hanna K. Jacobson
CHESTERFIELD COUNTY ASSESSOR
TMS# 182-41, 183-48
DATE 3-10-2022

Instrument Book Volume Page
2022-594 DB 544 445

2022-594
Filed for Record in
CHESTERFIELD COUNTY, SC
FAYE WILLIAMS, REGISTER OF DEEDS
02/07/2022 02:38:24 PM
DEED \$5391.10
State Tax \$3777.80 County Tax \$1598.30
Bk DB Vol 544 Page 445 - 453

STATE OF SOUTH CAROLINA)

COUNTY OF CHESTERFIELD)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Brad Hanna as Conservator for Georgia J. Hanna, Judy J. Speckman, Denise Herring as P.R. of the Estate of Betty J. Lundy, Zora J. Ritter and Sandra J. Clodfelter, (hereinafter called "Grantor"), in State aforesaid for and in consideration of the sum of **One Million Four Hundred Fifty Two Thousand Nine Hundred Forty AND 00/100 DOLLARS (\$1,452,940.00)**, to the Grantor in hand paid at and before the sealing of these presents, by **WILKIE DEVELOPMENT, LLC** (hereinafter called Grantee) in the State aforesaid, the receipt of which is hereby acknowledged, **SUBJECT TO** the matters set forth below, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto **WILKIE DEVELOPMENT, LLC**, Grantee, and the Grantee's heirs and assigns forever, the following described property:

See **Exhibit A** attached hereto and incorporated herein by reference.

TM No.: Portion of 182-000-000-041, 182-000-000-009

Grantee's Address:

*349 Back Corley Ct.
Lexington, S.C. 29073*

Instrument	Book	Volume	Page
2022-594	DB	544	446

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the Grantee, and the Grantee's heirs and assigns forever, subject nevertheless to covenants, conditions and easements hereinbefore set forth.

AND the Grantor does hereby bind the Grantor and the Grantor's heirs and executors and administrators to warrant and forever defend, all and singular, the said premises unto the Grantee and the Grantee's heirs and assigns forever, and against the Grantor, and Grantor's heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS the Grantor's hand and seal this 3rd day of February, 2022 and in the Two Hundred Forty-Sixth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
in the presence of:

Rebecca H. Cray
Witness #1
Hannah B. Wagner
Witness #2

Brad Hanna
Brad Hanna as Conservator for Georgia
J. Hanna

STATE OF SOUTH CAROLINA)

COUNTY OF Florence)

ACKNOWLEDGMENT

I, Hannah B. Wagner, Notary Public for South Carolina, do hereby certify that Brad Hanna, Conservator for Georgia J. Hanna known to me or presented sufficient identification, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 3rd day of February, 2022.

Hannah B. Wagner
Notary Public for South Carolina
My Commission Expires: 5/30/27

WITNESS the Grantor's hand and seal this 2nd day of February, 2022
and in the Two Hundred Forty-Sixth year of the Sovereignty and Independence of the United States
of America.

SIGNED, SEALED AND DELIVERED
in the presence of:

David A. Brub
[Signature]

[Signature]
Judy J. Speckman

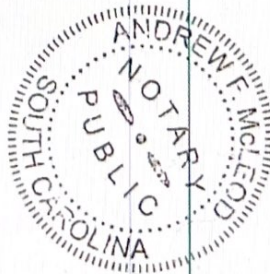
STATE OF S.C.
COUNTY OF Chesterfield

ACKNOWLEDGMENT

I, Andrew F. McLeod, Notary Public for S.C., do
hereby certify that Judy J. Speckman, known to me or presented
sufficient identification, personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

Witness my hand and official seal this 2 day of Feb, 2022.

[Signature]
Notary Public for S.C.
My Commission Expires: 01-25-2031



WITNESS the Grantor's hand and seal this 2nd day of February, 2022
and in the Two Hundred Forty-Sixth year of the Sovereignty and Independence of the United States
of America.

SIGNED, SEALED AND DELIVERED
in the presence of:

[Signature]
Witness #1

[Signature]
Witness #2

[Signature]
Denise Herring, P.R. Estate of Betty J.
Lundy

STATE OF GA)
COUNTY OF Monroe)

ACKNOWLEDGMENT

I, Diana McLendon, Notary Public for Monroe Co GA, do
hereby certify that Denise Herring, known to me or presented
sufficient identification, personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

Witness my hand and official seal this 2 day of February, 2022.

[Signature]
Notary Public for Monroe Co GA
My Commission Expires: 1-6-24



WITNESS the Grantor's hand and seal this 2 day of February, 2022
and in the Two Hundred Forty-Sixth year of the Sovereignty and Independence of the United States
of America.

SIGNED, SEALED AND DELIVERED
in the presence of:

Billy Mercer
Witness #1
Essence Doctor
Witness #2

Zora J. Ritter
Zora J. Ritter

STATE OF South Carolina)
COUNTY OF Georgetown)

ACKNOWLEDGMENT

I, Essence Doctor, Notary Public for South Carolina, do
hereby certify that Zora J. Ritter, known to me or presented
sufficient identification, personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

Witness my hand and official seal this 2 day of February, 2022.

Essence Doctor
→ Notary Public for South Carolina
My Commission Expires: 7/12/2031

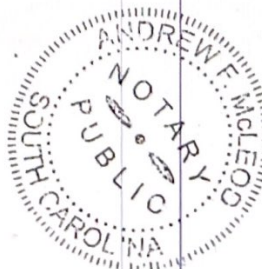
ESSENCE DOCTOR
Notary Public
State of South Carolina
My Commission Expires Jul 12, 2031

Donie C. Brock


Sandra J. Clodfelter

Witness my hand and official seal this 2 day of Feb, 2022.

Notary Public for South Carolina
My Commission Expires: 01-25-2032



Instrument Book Volume Page
2022-594 DB 544 451

This deed was prepared by:

McLeod & Ruffner
222 Market Street
P.O. Drawer 1449
Cheraw, SC 29520

Brad Hanna as Conservator for Georgia J. Hanna et.al.,	I hereby certify that the within Deed has been this _____ day of _____, 2022, recorded in Deed Book _____ at Page _____ at _____ o'clock _____ M.
Grantor,	REGISTER OF DEEDS, CHESTERFIELD COUNTY
TO	I hereby certify that the within Deed has been this <u>11</u> day of <u>March</u> , 2022, transferred on Auditor's Book <u>W</u> at Page <u>132</u> . <u>Jack Rivers / Rmc</u> AUDITOR, CHESTERFIELD COUNTY
WILKIE DEVELOPMENT, LLC,	
Grantee.	

2022-594
Filed for Record in
CHESTERFIELD COUNTY, SC
FAYE WILLIAMS, REGISTER OF DEEDS
02/07/2022 02:38:24 PM
DEED \$5391.10
State Tax \$3777.80 County Tax \$1598.30
Bk DB Vol 544 Page 445 - 453

Instrument Book Volume Page
2022-594 DB 544 452

STATE OF SOUTH CAROLINA)

COUNTY OF _____)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located at _____, bearing Chesterfield County Tax Map Number: Portion of 182-000-000-041, 182-000-000-009, was transferred by **Brad Hanna as Conservator for Georgia J. Hanna et.al. to Wilkie Development, LLC** on 02-02, 2022.

3. Check one of the following: The deed is

- (a) XX subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c) _____ exempt from the deed recording fee because (see information section of affidavit): _____
(If exempt, please skip items 4 - 7 and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (see information section of this affidavit):

- (a) XX The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$1,452,940.00
- (b) _____ The fee is computed on the fair market value of the realty which is _____.
- (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "yes" the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

- | | |
|--|-----------------------|
| (a) Place the amount listed in item 4 above here: | <u>\$1,452,940.00</u> |
| b) Place the amount listed in item 5 above here: | <u>-0-</u> |
| (If no amount is listed, place zero here) | |
| (c) Subtract line 6(b) from line 6(a) and place result here: | <u>\$1,452,940.00</u> |

7. The deed recording fee due is based on the amount listed on line 6(c) above and the deed recording fee due is: \$5,376.10.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Seller's attorney

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SWORN to before me this 7th
day of February, 2022.

Vickie N. Mills (SEAL)

Notary Public for South Carolina

My Commission Expires: 6-11-24

Notary (printed name): Vickie N. Mills

[Signature]

EXHIBIT A

All those certain pieces, parcels, lots, or tracts of land, together with any improvements thereon, situate, lying, and being in the County of Chesterfield, State of South Carolina, said parcels known, shown, and delineated as **Parcel 1, containing 110.84 acres, more or less, Parcel 2, containing 10.51 acres, more or less, and Parcel 3, containing 605.72 acres, more or less**, on a Plat prepared for Sandra Clodfelter by Broadway Surveying, Inc., last revised August 10, 2021, and recorded in the Chesterfield County records in Bk PL Vol T, Page 219 with said parcels having such metes and bounds as are shown on said Plat which is/are herein incorporated by reference.

LESS AND EXCLUDING AND EXCEPTING all that certain piece, parcel, lot, or tract of land, together with any improvements thereon, situate, lying, and being in the County of Chesterfield, State of South Carolina, said parcel known, shown, and delineated as containing **0.50 acre, more or less**, on a Plat prepared for Cindy Griggs by Broadway Surveying, Inc., dated October 15, 2019, and recorded in the Chesterfield County records in Bk PL Vol T, Page 221 with said parcel having such metes and bounds as are shown on said Plat which is/are herein incorporated by reference.

ALSO LESS AND EXCLUDING AND EXCEPTING all that certain piece, parcel, lot, or tract of land, together with any improvements thereon, situate, lying, and being in the County of Chesterfield, State of South Carolina, said parcel known, shown, and delineated as containing **1.00 acre, more or less**, on a Plat prepared for Cindy Griggs by Broadway Surveying, Inc., dated May 14, 2019, and recorded in the Chesterfield County records in Bk PL Vol T, Page 220 with said parcel having such metes and bounds as are shown on said Plat which is/are herein incorporated by reference. Included with this said 1.00 acre parcel, and retained by the Grantor(s), is an easement for the purposes of ingress, egress, and the installation and maintenance of utilities running in a Northeast/Southwest direction from Bullard Ford Road to the 1.00 acre parcel herein described as shown on said Plat as "30' access easement" with said easement to run with the title to and be appurtenant to the said 1.00 acre parcel herein described.

The approximate aggregate acreage herein conveyed is 725.57 acres, more or less.

Derivation: This being a portion of the property conveyed to Betty J. Lundy, Georgia J. Hanna, Zora J. Ritter, Judy V. Speckman, Sandra J. Clodfelter, and Cynthia J. Griggs by Deed of Distribution from the Estate of Maysel Mixon Johnson recorded in the Chesterfield County records on February 6, 2015 in Volume 489 at Page 346-349 and by Deed of Cynthia J. Griggs recorded in Book/Vol. 544 at Page 431.

TMS #: Portion of 183-000-000-009 and Portion of 182-000-000-041

STATE OF SOUTH CAROLINA	)	IN THE FAMILY COURT FOR THE
	)	FOURTH JUDICIAL CIRCUIT
COUNTY OF CHESTERFIELD	)	CASE NO. 2024-CP-13-01093
Craig Hanna,	)	
Plaintiff,	)	
	)	
v.	)	ANSWER AND COUNTERCLAIM
	)	OF BRADLEY J. HANNA
Bradley J. Hanna, and Wilkie Development	)	
LLC,	)	
	)	
Defendants.	)	
_____	)	

The Defendant, Bradley J. Hanna, answering the Complaint of the Plaintiff herein, would respectfully allege and show unto this Honorable Court as follows:

1. That each and every allegation contained in the Complaint not herein below admitted, denied or qualified is hereby denied and strict proof demanded thereof.
2. This Defendant admits the allegations contained in paragraphs one (1) through four (4) of the Complaint.
3. Upon information and belief, the allegations contained in paragraph five (5) are true and correct.
4. This Defendant admits the allegations contained in paragraphs six (6) through ten (10) of the Complaint, with the exception of the allegation contained in paragraph nine (9) which alleges that the conveyance was “unfortunate”. To the extent that this paragraph alleges misconduct on the part of this Defendant, Defendant denies same and demands strict proof thereof.
5. This Defendant is without sufficient information from which to admit or deny the allegations contained in paragraphs eleven (11) and twelve (12) of the Complaint and would therefore deny same and demand strict proof thereof.

6. This Defendant denies the allegations contained in paragraph thirteen (13) of the Complaint and demands strict proof thereof.

7. As to the allegations contained in paragraphs fourteen (14) and (15) of the Complaint, this Defendant would allege that the proceeds of the sale of this property were disbursed to Ms. Hanna and have been in her brokerage account and available to assist with her care since the time of the sale.

8. Further answering paragraph fifteen (15) of the Complaint, this Defendant would deny that he has “pocketed” the sale proceeds and again would allege that the funds were and are available for use by Ms. Hanna and no one else.

AS TO THE FIRST CAUSE OF ACTION

9. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

10. This Defendant admits those allegations contained in paragraph seventeen (17) of the Complaint which alleges that while he was the Conservator for Ms. Hanna, he had a fiduciary duty to her to account for the income and expenses on her behalf and to abide by the Court’s Order.

11. As to the remaining allegations contained in this Cause of Action, this Defendant denies that he committed any misconduct and denies that anything done by him as Conservator caused any damage or injuries to Ms. Hanna. Additionally, as to the allegations contained in this cause of action which allege that any portion of the sales proceeds “would flow to” the Plaintiff, or that the Plaintiff has been damaged in any fashion by this transaction are denied and strict proof is demanded thereof.

AS TO THE SECOND CAUSE OF ACTION

12. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

13. This Defendant denies all of the allegations contained in this Cause of Action and would again allege that the entire proceeds from this sale to which Ms. Hanna was entitled was paid to her and it has been completely available to her for her expenses since that time.

AS TO THE THIRD CAUSE OF ACTION

14. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

15. This Defendant denies all of the allegations contained in this Cause of Action and would further allege that the Plaintiff was not a party nor a beneficiary of this transaction and thus has no actual or justiciable controversy with respect to this matter.

AS TO THE FOURTH CAUSE OF ACTION

16. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

17. This Defendant denies all of the allegations contained in this Cause of Action and demands strict proof thereof.

AS A FURTHER DEFENSE BY WAY OF AFFIRMATIVE DEFENSE TO ALL CAUSES OF ACTION

18. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

That the Plaintiff has failed to state a claim for which relief could be granted unto him, and as such, the matter should be dismissed pursuant to S.C.R.C.P., Rule 12(b)(6).

AS A FURTHER DEFENSE BY WAY OF AFFIRMATIVE DEFENSE TO ALL CAUSES OF ACTION

19. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

20. That Plaintiff lacks standing to bring this action as he has no stake in the outcome nor any interest in and to the property which is the subject of this action. More specifically, Craig Hanna is not the Guardian or Conservator for Georgia Jo Hanna, and is not an assignee of any claim that may be available to Ms. Hanna in regard to this property.

21. As a result, Plaintiff is not and has never been entitled to receive any of the proceeds derived from this sale. Additionally, Plaintiff was never an owner of this parcel of property. Ms. Hanna was a 1/5 owner of an undivided interest in and to this parcel of property with her siblings and her portion of the sales proceeds were paid to her, said proceeds being held and maintained in a brokerage account in the name of Ms. Hanna and maintained for her benefit.

22. That the Plaintiff has no right to the relief he is requesting in this Complaint, as any relief to which anyone would be entitled as a result of this transaction would be someone other than the Plaintiff herein.

**AS A FURTHER DEFENSE BY WAY OF AFFIRMATIVE DEFENSE AS TO ALL
CAUSES OF ACTION**

23. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

24. That the Plaintiff has not alleged, nor can he prove that anyone has suffered any damages or losses as a result of this transaction, and thus this action should be dismissed. More specifically, the property, upon information and belief, was sold to a purchaser for the appraised value of the property (fair market value), and the sellers were each paid the entire amount of money to which they were entitled pursuant to the terms of the sale.

AS A FURTHER DEFENSE BY WAY OF COUNTERCLAIM

25. That each and every allegation contained herein above is reiterated as fully as if set forth herein verbatim.

26. Upon information and belief, the Plaintiff has filed unfounded pleadings containing requests for relief which have no basis in law or fact. Additionally, this Plaintiff has filed a previous action in the Court of Common Pleas, Florence County, again alleging entitlement to relief from the Defendant which had no basis in fact and law. As a result of the filing of that frivolous action, the Common Pleas action in Florence County has been dismissed against the Plaintiff.

27. Shortly after the dismissal of that claim, the Plaintiff filed the within claim against this Defendant alleging he is entitled to relief which he clearly is not.

28. No reasonable person would make such a frivolous claim and file such frivolous pleadings. Filing and persisting in this manner of litigation with no good faith basis in fact or law constitutes bad faith warranting appropriate sanctions under S.C. Code, §15-36-10, et.seq. of the South Carolina Frivolous Civil Proceedings Act.

29. The Plaintiff has now initiated this Summons and Complaint merely to continue to harass and injure the Defendant and cause him to continue to spend time and money defending meritless litigation. Upon information and belief, the Plaintiff has failed to comply with the duties and conditions outlined in the statute.

30. Defendant is informed and believes that as a result of this violation, Defendant is entitled to the dismissal of this action against him, including costs and attorney's fees and all additional sanctions allowed under S.C. Code Ann., §15-36-10, et.seq.

WHEREFORE, the Defendant having answered the Complaint of the Plaintiff herein, would respectfully pray for an Order as follows:

1. Dismissing the Complaint with prejudice.
2. Granting Defendant, Bradley J. Hanna, sanctions as requested in the Counterclaim.
3. And for such other and further relief as this Court may deem proper.

s/Kevin M. Barth

Kevin M. Barth, SC Bar #559
Attorney For Defendant, Bradley J. Hanna
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kbarth@bblawsc.com

Florence, South Carolina

January 21, 2025

STATE OF SOUTH CAROLINA

COUNTY OF CHESTERFIELD

Craig Hanna,

Plaintiff,

v.

Bradley J. Hanna and Wilkie Development,
LLC,

Defendants.

) IN THE COURT OF COMMON PLEAS

) Civil Action No: 2024-CP-13-01093

) **DEFENDANT WILKIE DEVELOPMENT,**
) **LLC'S ANSWER TO COMPLAINT**

Reserving all rights and remedies available to it, Defendant Wilkie Development, LLC ("Defendant"), by and through its undersigned counsel, hereby answers the Complaint of Plaintiff Craig Hanna, as follows:

1. Each allegation contained in Plaintiff's Complaint which is not specifically admitted or otherwise qualified is denied and strict proof thereof is demanded.
2. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraphs 1, 2, 3, and 4, and therefore denies the same.
3. Defendants admits the allegations of Paragraph 5.
4. Responding to the allegations of Paragraphs 6, 7, and 8, Defendant admits only that the document attached as Exhibit A to the Complaint appears to be an Order entered in Florence County Probate Court in Case Number 2018-GC-21-41 and 2018-GC-21-44, the terms of which speak for itself, and Defendant denies any allegations that contradict the terms of the Order.
5. Responding to the allegations of Paragraphs 9 and 10, Defendant admits only that the document attached as Exhibit B to the Complaint appears to be a deed conveying property to

Defendant recorded February 7, 2022, in the Chesterfield County Register of Deeds in Book 544 at Page 445 (the “Deed”), the terms of which speak for itself, and Defendant denies any allegations that contradict the terms of the Deed.

6. Responding to Paragraph 11, Defendant admits it currently owns real property subject to the Deed and identified by tax parcel number 182-000-000-041.

7. Defendant denies the allegations of Paragraphs 12, 13, 14, and 15.

8. The allegations of Paragraphs 16, 17, 18, 19, 20, 21, and 22 are not directed towards Defendant, and therefore no response to those paragraphs is required. However, to the extent a response is deemed required, the allegations of those paragraphs are denied.

9. Defendant denies the allegations of Paragraphs 23, 24, 25, 26, 27, and 28.

10. Defendant denies that Plaintiff is entitled to any of the relief as set forth in the WHEREFORE paragraph and any subparts that follow.

FOR A FIRST DEFENSE
(Rule 12(b)(6))

11. Some or all of Plaintiff’s claims fail to state causes of action upon which relief may be granted and should be dismissed pursuant to Rule 12(b)(6) of the South Carolina Rules of Civil Procedure.

FOR A SECOND DEFENSE
(Lack of Standing)

12. Plaintiff’s claims fail as a matter of law due to Plaintiff’s lack of standing to bring the claims asserted.

13. Plaintiff was not a party nor a beneficiary of the subject transaction and thus has no actual or justiciable controversy with respect to this matter.

FOR A THIRD DEFENSE
(Failure to Join Necessary or Indispensable Party)

14. Plaintiff's claims fail as a matter and should be dismissed pursuant to Rule 12(b)(7) and Rule 19, SCRCP, for failure to join a necessary or indispensable party.

FOR A FOURTH DEFENSE
(Waiver and Estoppel and Unclean Hands)

15. Some or all of Plaintiff's claims are barred by the doctrines of waiver, estoppel, and unclean hands.

FOR A FIFTH DEFENSE
(Good Faith)

16. Defendant is not liable to Plaintiff because it acted in good faith in conformity with applicable rules, regulations, and statutory interpretations.

FOR A SIXTH DEFENSE
(Bona Fide Purchaser)

17. Plaintiff's claims fail as a matter of law because Defendant was a bona fide purchaser in good faith of the subject property without notice of any alleged defect.

FOR A SEVENTH DEFENSE
(Lack of Remedy)

18. To the extent Defendant lacks an adequate remedy at law, Defendant is entitled to equitable relief from this Court.

FOR AN EIGHTH DEFENSE
(Unjust Enrichment)

19. Plaintiff may not recover damages in this action because, under the circumstances presented, it would constitute unjust enrichment.

FOR A NINTH DEFENSE
(Estoppel by Deed)

20. The deed conveying the property that is the subject of this action to Defendant is valid and therefore Plaintiff is estopped from taking a position contrary to what it reflected in the deed.

FOR A TENTH DEFENSE
(Reservation of Rights)

21. Defendant incorporates all other defenses and affirmative defenses raised by or available to any other party and reserves any additional and/or affirmative defenses that may become available during this case.

WHEREFORE, having fully answered the Complaint of the Plaintiff, Defendant prays that all claims asserted by the Plaintiff against it be dismissed with prejudice and that Plaintiff be held responsible for all costs and fees incurred by Defendant in the investigation, defense, and resolution of these claims, including reasonable attorney's fees.

s/Paul H. Hoefer
Paul H. Hoefer [SC Bar #77506]
Christopher L. Boguski [SC Bar #100546]
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*Attorneys for Defendant Wilkie Development,
LLC*

February 28, 2025

STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS
2024CP1301093

CRAIG HANNA,

Plaintiffs,

v.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

REPLY TO COUNTERCLAIM

NOW COMES Plaintiff/Counterclaim Defendant Craig Hanna (“Hanna or “Plaintiff/Counterclaim Defendant”), by and through undersigned counsel, replying to the supposed counterclaim of Defendant Bradley J. Hanna (“Defendant” or “Bradley”) as follows:

25. This allegation requires no response.
26. This allegation is a legal conclusion to which no response is required. To the extent a response is required this allegation is denied based upon South Carolina law.
27. Denied.
28. This allegation is a legal conclusion to which no response is required. To the extent a response is required this allegation is denied based upon South Carolina law.
29. Denied.
30. Denied.

AFFIRMATIVE DEFENSE

Equitable Estoppel

Defendants’/Counterclaim Plaintiffs’ fail under the doctrine of Equitable estoppel.

WHEREFORE, Plaintiff/Counterclaim Defendant respectfully prays the Court for relief as follows:

- 1) That the Counterclaim be dismissed in its entirety with prejudice;
- 2) That Defendants/Counterclaim Defendants have and recover nothing of Plaintiff/Counterclaim Defendants;

- 3) That all issues so triable be tried by jury;
- 4) That Plaintiff's/Counterclaim Defendant's costs and attorneys' fees taxed against Defendants/Counterclaim Plaintiffs; and
- 5) For such other and further relief as the Court shall deem just and proper.

This the 18th day of February, 2025.

/s/Ty K. McTier

Ty McTier

TLG Law

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Charlotte, NC 28211

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Email: tmctier@tlg-law.com

Attorneys for Plaintiff

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTERFIELD

2024-CP-1301093

CRAIG HANNA,

Plaintiff,

vs.

LIS PENDENSBRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

THIS NOTICE OF LIS PENDENS is hereby given that an action has been commenced by the Plaintiff Craig Hanna ("Plaintiff"), against the Defendant Bradley J. Hanna ("Bradley") and Wilkie Development, LLC ("Wilkie") or ("Owner"), for the reversal of a conveyance of an estate property recorded February 7, 2022 in Book DB Volume 544 at Page 445-453, in the Office of the Register of Deeds for Chesterfield County, South Carolina against the real property located at Tax Parcel Number 182-000-000-041 located in Chesterfield County, South Carolina and more fully described in Exhibit "A" attached hereto and incorporated herein by reference.

THIS the 23rd day of December, 2024.

TLG Law

By: /s/ Ty K. McTier

Ty K. McTier
S.C. Bar No. 102900
2907 Providence Road, Ste. A 303
Charlotte, NC 28211
(704) 900-2215
Attorney for Lien Claimant

STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD
IN THE COURT OF COMMON PLEAS
C.A. NO.: 2024-CP-13-1093

RECEIVED
Oct 17 2025
SC Court of Appeals

CRAIG HANNA,

PLAINTIFF,

VS.

BRADLEY HANNA AND WILKIE DEVELOPMENT, LLC,

DEFENDANT(S) .

H E A R I N G
BEFORE THE HONORABLE WILLIAM MCMASTER

DATE: MAY 7, 2025

LOCATION: SOUTH CAROLINA CIRCUIT COURT 4

TRANSCRIBER: PAM GRAY

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REPRESENTING THE DEFENDANT(S)

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EXHIBITS

(NONE MARKED)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL IS
REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

P R O C E E D I N G S

THE COURT: All right. Now we are back to the 16 and 17 on the docket that I'm looking at. 2024-CP-13-1093 Craig Hanna versus Bradley J. Hanna, Defendant at all. There are two motions here, both Defendants' motions. I'm going to try to get everybody in now. All right. Can you move him in for everybody please? Looks like McTier -- getting some feedback from somebody. All right. I need to -- we've got -- I've got Crystal here as well. Got a -- a (indiscernible) in there. I don't know if that's Bradley Hanna or not.

MR. BARTH: It's not, Your Honor. Mr. Bradley Hanna is -- is here with me.

THE COURT: Okay.

MR. BARTH: In our office.

THE COURT: All right. Let's see what we've got here. Okay. And do we have Paul?

MR. HOEFER: Yes, Your Honor. I'm here.

THE COURT: Okay. There you are. Okay, I got you. All right. So I've got Barth, Hoefer, Crystal, McTier, Craig Hanna here. I think everybody's present. So what we're just gonna -- what we're gonna do is we're gonna go through and have everybody identify themselves and who they represent, and we can hopefully take care of both these at the same time. I believe everybody is present. Okay. So we'll start with Plaintiff's council in both these -- in both these

1 actions. Yes, sir, if you'll identify yourself and then who
2 you represent.

3 MR. MCTIER: Good morning, Your Honor. Ty McTier, and I
4 represent the Plaintiff, Craig Hanna.

5 THE COURT: All right. And next parties.

6 MR. BARTH: May it please The Court. Your Honor this is
7 Kevin Barth. I represent the Defendant, Bradley Hanna.

8 THE COURT: Hold on one second. Someone's talking in
9 the background. I'm not sure who that is. Okay. I'm sorry,
10 sir, could you repeat that one more time?

11 MR. BARTH: Yes, Your Honor. I'm Kevin Barth, here in
12 Florence. I represent Bradley J. Hanna, the first named
13 Defendant.

14 THE COURT: All right. And yes, sir. Next, Mr. Hoefer.

15 MR. HOEFER: Yes, Your Honor, may it please The Court.
16 I'm Paul Hoefer. I represent the Defendant, Wilkie
17 Development, LLC. And just for housekeeping purposes, I
18 think Mr. Barth filed his motion to dismiss first. I filed
19 mine -- filed mine second, but they're on similar grounds.
20 Just so you're -- you're aware.

21 THE COURT: Yes, sir. And Crystal, who do we have as
22 Crystal here? I've got -- do you see in the chat who we've
23 got? Trying to figure out who that is. And Elizabeth
24 Langley?

25 MR. BARTH: Your Honor, would you ask -- mind inquiring

1 who Crystal and Elizabeth Langley are? They're not part of
2 this.

3 THE COURT: I am. Elizabeth Langley, are you part of
4 this case?

5 MS. LANGLEY: I'm a friend of the Hanna's, Craig Hanna
6 and (indiscernible) Hanna.

7 THE COURT: Okay. You're a friend? Okay. Well, we'll
8 put you in as an attendee. Hold on one second. Okay. All
9 right. I've got you in the attendee. How about Crystal?
10 I've got Crystal. You're muted. You need to unmute.
11 Crystal? Is Crystal -- I'm sorry folks. I don't know what
12 the problem is here. Crystal is muted. You move and see --
13 it seems like we can't unmute her. All right. Not sure who
14 Crystal is. Mr. McTier, you know anything about Crystal?
15 Crystal's gone now. Okay. We got Craig Hanna. We know who
16 that is. All right. I think we've got it. Let's see. All
17 right.

18 This is the Defense's motion. Mr. -- Mr. Barth, yours
19 was -- is listed first, so I'll let you go ahead and start.
20 And Mr. McTier, do you have an issue responding to both
21 motions that both Defense counsels made their presentation
22 and then you just respond, sir, one time? Is that -- is that
23 adequate for you?

24 MR. MCTIER: Your Honor, I think that's adequate.
25 They're pretty much on the same ground, so I think that makes

1 sense.

2 THE COURT: All right. Let's do that. All right.
3 Mr. Barth, ready to hear from you.

4 MR. BARTH: Thank you, Your Honor, and may it please The
5 Court. This case involves a parcel of property that was sold
6 in Chesterfield County to Wilkie Development a few years ago.
7 At the time it was sold, Ms. Georgia Jo Hanna and her
8 siblings were the owners of the parcel of property. Georgia
9 Jo Hanna, Your Honor, is the mother of Bradley Hanna and
10 Craig Hanna. This is a piece of property that the siblings
11 decided they wanted to sell. Wilkie Development was willing
12 to buy it, and a lawyer in Chesterfield County closed the
13 loan.

14 If Your Honor, please, our position is and I'm sure
15 you've read the complaint and everything. Craig Hanna, Your
16 Honor, has no standing to bring this lawsuit. He has no
17 interest in the parcel of property. He is not a party to the
18 transaction. He has nothing to do with the transaction.
19 What -- what happened was Ms. Hanna's interest was sold with
20 the other siblings. The money was taken from there and
21 placed in Ms. Hanna's brokerage account where the funds have
22 been available to her from the outset.

23 Craig is not an appointed guardian. He is not an
24 appointed conservator. He still has no interest in it. And
25 if Your Honor looks at the complaint itself, it says that the

1 wrong-doing alleged by him against my client interferes with
2 or defrauds him out of any interest, "that may flow to him in
3 the future". And what that refers to, Your Honor, is in the
4 event the mom dies, he may be an heir. I don't know what her
5 will says, but as it sits right now with this lawsuit
6 pending, Craig Hanna has no legal standing.

7 Your Honor, we presented to Your Honor a memo outlining
8 the requirements for someone to have legal and factual
9 standing to bring an action. And if Your Honor please, it's
10 as it says, it must be the real party in interest and
11 prospective or potential for future harm falls short of the
12 standard required for a party to have standing. Your Honor,
13 we allege, in general, as to all of the causes of action that
14 Craig Hanna has no standing and that this matter should be
15 dismissed. And on another note, he has alleged -- he has
16 alleged a cause of action to set the -- set the property deed
17 aside again.

18 He has no interest in it. He didn't have an interest in
19 it when it was sold. He has no interest in it now. And he
20 filed it under the South Carolina Declaratory Judgment Act,
21 Your Honor, which says you have to have a real controversy
22 between the parties, and there isn't one between the
23 Plaintiff in this action and anybody else. And certainly
24 none of the other siblings who owned their piece of that same
25 parcel of property are not named as they would have to be for

1 a proper declaratory judgment action to be filed. And two of
2 the causes of action against my client in particular allege
3 some type of breach of fiduciary duty or fraud.

4 And if Your Honor looks at the complaint, there are no
5 factual allegations or even inferences of factual basis for
6 which there is a fiduciary relationship between Bradley Hanna
7 and Craig Hanna. At one point, Craig Hanna was the guardian
8 for his mother. Bradley Hanna was the conservator for his
9 mother. They have both since been removed and there is no
10 conservator, because Ms. Hanna is being taken care of, and
11 there is no guardian because apparently The Court doesn't
12 believe she needs one. And Mr. McTier's filed a motion to
13 stay.

14 It sounds like a motion to stay so that maybe they can
15 talk somebody into appointing a conservator who may or may
16 not want to file this action on behalf of Ms. Hanna. We
17 absolutely oppose that. If and when a guardian is ever
18 appointed, and that guardian believes that misconduct is
19 taking place, that guardian can file an action, a new one.
20 But as it sits right now, at the 12(b) -- the 12(b) stage,
21 Your Honor, we do not believe that Craig Hanna has any
22 standing under the law, constitutional standing, to bring
23 this action for any of the relief he's requested. And that's
24 the basis for our motion to dismiss and our opposition, Your
25 Honor, to the motion for stay by the Plaintiff.

1 THE COURT: All right. Mr. Hoefer, be happy to hear
2 from you now.

3 MR. HOEFER: Thank you, Your Honor. Effectively, we
4 agree with Mr. Barth's argument, and I don't see the need to
5 repeat too much of it. I'll speak briefly from my client's
6 perspective. I represent the Defendant, Wilkie Development,
7 LLC, which is the current owner of the property, has no
8 relationship to this family, to the Hanna's, to really any of
9 the factual allegations underlying the dispute. We're just
10 an innocent third party, good faith purchaser that now has a
11 suit that's trying to set aside the title to the property
12 that we own. The deed that we received was in February of
13 2022, there were five different grantors. I understand this
14 is a -- this was a family sale. Brad Hanna was -- was one of
15 the grantors as the conservator for his mother, Georgia
16 Hanna.

17 There are four other grantors. Again, despite this
18 being a property case to set aside a deed, none of these
19 parties, none of the five grantors are named in this case.
20 And significantly, the Plaintiff is not a party -- was not a
21 party to this deed transaction. So, you know, from a big
22 picture here, you have a legitimate, good faith transaction
23 closed by a South Carolina licensed lawyer. There's really
24 no legal basis to set aside this deed based on the
25 allegations of the complaint and -- but -- but obviously

1 we're at the 12(b) stage, so the focus is on a lack of
2 standing. And I think that is correct. I don't think the
3 Plaintiff can assert this case in his individual capacity
4 when he has no interest whatsoever in the property.

5 The mother is still alive. There's no evidence or
6 allegation in the complaint that he's a beneficiary, that
7 there's not even an estate because the mother is still alive.
8 And there's no evidence or allegation relating to a will. So
9 Mr. -- the Plaintiff in this case just simply does not have
10 interest in the property. The law on standing in this state
11 is that the plaintiff has to have suffered an injury. In
12 fact, it's got to be concrete, particularized. There's got
13 to be a connection between the injury and the conduct, and
14 it's got to be likely that a favorable decision will -- will
15 redress whatever the injury might be.

16 And here, even if you set aside the deed, the Plaintiff
17 is not -- he doesn't have a personal stake in the property.
18 And the complaint says, like Mr. Barth says, that he
19 speculates that some interest in the future could flow to
20 him. Well, that's -- that's not good enough under our case
21 law. There's got to be the mere expectancy or possibility of
22 a future interest does not satisfy the standards required
23 here. I believe the -- to get ahead a little bit into
24 Mr. McTier's likely arguments from his opposition brief, is
25 something about the protected person statute has been raised

1 and the probate court rules.

2 Well, those different statutes reference filing an
3 application with the probate court, the appointing court for
4 a guardian to respond to concerns of a protected person, or
5 -- or someone who has interest in that person's welfare.
6 Here, obviously, this is not an application to the probate
7 court concerned about a protected person. Instead, this is a
8 complaint to set aside a deed in circuit court, and I believe
9 that's a very big stretch to try to rely on that statute to
10 assert standing. So for those reasons, Your Honor, I'd
11 respectfully ask or urge The Court to dismiss the matter at
12 this point for lack of standing. Thank you, Judge.

13 THE COURT: Thank you. All right. We'll switch now to
14 Mr. McTier. Be happy to hear from you, sir.

15 MR. MCTIER: Yes, Your Honor. The elephant in the room
16 and the topic that was not discussed was that in December of
17 2018, Judge Mumford Scott, Jr. issued an order similar to the
18 order that you issued today at the start with -- with
19 Mr. Suggs warning him about being a conservator. And in that
20 order, if you look at the complaint in the order, it says,
21 I'm quoting straight from the order, "further the
22 conservator, Mr. Hanna, Bradley Hanna, may not change the
23 character of the estate without court approval, and shall
24 expend assets of the protected person other than normal and
25 routine living expenses of the protected person, only

1 pursuant to court order." And what happened here, what they
2 didn't bring up is that this property was sold while my
3 client was the guardian of Ms. Jo, and they did not get a
4 court order to do this. And I don't even say -- I believe
5 discoveries will show they didn't even try to get a court
6 order to do that. And Craig has injury, in fact, on two
7 levels. One, at the time he was the guardian for Ms. Jo, and
8 it was never relayed to him.

9 He never received notification of this transfer, and so
10 he's got standing from there, and he is also a beneficiary of
11 Ms. Jo's estate. And this is a huge piece of property. It's
12 over 700 acres. It had marketable timber on it. We believe
13 that that timber has been since cut or at least a lot of it
14 has. We think discovery is going to show that. And my
15 client is listed in -- in her will, and we believe discovery
16 is going to show that. And also Bradley Hanna, because he
17 had two sons, Craig Hanna, which is my client, and Bradley
18 Hanna.

19 Now, as far as the duties owed, there's two separate
20 duties. There's one where Craig was the guardian at the time
21 of the transfer. That's very important because at the time
22 there was a fiduciary duty owed. And not only that but also
23 to comply with the court order. And that did not happen in
24 this case. What should have happened is the -- they should
25 have petitioned the probate court to approve of this sale.

1 And also on the back end of that, you know, where this --
2 this money went into, you know, we're going to look into that
3 as well through discovery and see how that's actually going
4 to be apportioned to Ms. Jo and also to the estate.

5 But there was no accounting for that filed that I'm
6 aware of. And that's a separate violation, not just the
7 order, but if you look at the code of 62-5-423, and it's got
8 the distributive duties of powers of the conservator. And it
9 says the expenditures must be consistent with a prior court
10 approved financial plan. So both in the statute and in the
11 order signed by Judge Scott, they had to get permission
12 before this is a direct violation of that order. And Craig
13 has standing both at the time he was the guardian and also
14 the estate of Ms. Jo was diminished greatly from that because
15 that property had a lot of marketable timber and other
16 resources that are now not a part of the estate.

17 So that injury happened when this property was sold. It
18 is a concrete injury that Craig now has redress for. But the
19 overarching goal of this lawsuit is to make sure that Ms. Jo
20 is protected and all the procedures are followed that they
21 did -- that just did not happen in this case. Craig has --
22 has standing on multiple levels, and you know, he has no
23 other brothers and sisters. It's -- it's Bradley and -- and
24 Craig that are the beneficiaries of Ms. Jo's, you know,
25 estate. And when she passes, then all of the property

1 interests here are not going to be able to be distributed for
2 that.

3 So there's -- there's an injury there as well that
4 happened at the time of the transfer. And the reason this is
5 not in, you know, filed in the probate is because we had to
6 -- this is interim action about the -- the land. We had to
7 file here in Chesterfield County. And at a minimum, if This
8 Court says that my client does not have standing, which I
9 contend is opposite to -- to the law, because the judge
10 appointed a guardian and a conservator for Ms. Jo, then this
11 matter should be stayed at least until one is appointed and
12 the appropriate process goes through with the -- with the
13 probate court, which did not happen here.

14 And Your Honor, it was hard to find a case where someone
15 had such nerve to convey property outside of the court order,
16 other than family law cases. But there is one case, it's
17 unpublished opinion. But *Gladden v. Stewart*, where they're
18 two sisters sued the power of attorney for violating a court
19 order when selling property. And the court found that that
20 was a breach of the fiduciary duty. And you know it's,
21 again, it's unpublished opinion, but that's a good take on
22 how the Court of Appeals is going to look at this, and that,
23 yes, there is a -- a duty. And in that case, they brought up
24 jurisdiction as well, and the plaintiffs won on the
25 jurisdiction level.

1 So Your Honor, for those reasons, we'd ask you deny
2 their -- their motion to dismiss. My client has standing.
3 And we believe that discovery is going to also show that not
4 only the loss of the property interest, but also of the
5 marketability of that property in the timber in relation to
6 Ms. Jo's interest that was conveyed in violation of the court
7 order. So for those reasons, Your Honor, we'd ask that you
8 deny these motions.

9 THE COURT: All right. I was looking at your brief on
10 the in opposition. And when was your client removed as the
11 guardian? It says, has since been removed. When was that?

12 MR. MCTIER: I don't know the exact date on that, Your
13 Honor, but it was ---

14 MR. BARTH: December of '22, Your Honor.

15 THE COURT: December of '22. Okay. And the property
16 was sold February of '22 is that ---

17 MR. MCTIER: Yes, that's correct. Yes, sir.

18 THE COURT: So he was the guardian at that time. Okay.

19 MR. MCTIER: That's correct.

20 THE COURT: Okay.

21 MR. MCTIER: And Mr. Hanna was the conservator.
22 Mr. -- Bradley was a conservator at that time.

23 THE COURT: Was he -- was Mr. Bradley Hanna -- where he
24 was appointed as conservator, was that -- was he removed
25 there roughly at the same time?

1 MR. BARTH: Same day, Your Honor. Same order that
2 removed -- one brother removed the other. But I would like
3 to respond.

4 THE COURT: I'm gonna let you have a chance to reply.
5 I'm just making sure I got all the information down. Now the
6 beneficiary part, I mean, you'd agree, Mr. McTier, she can
7 change her -- who the beneficiaries are at any time. You'd
8 agree with that. I mean, she's not -- hadn't passed away. I
9 know he's the only -- he's a brother, and Bradley Hanna's a
10 brother -- brother, but that's speculative at best. She
11 could change that the day -- the day before she passed away
12 technically. You'd agree with that; wouldn't you?

13 MR. MCTIER: Well, Your Honor, typically, yes. But not
14 for an incapacitated person because it has to go through the
15 probate. She can't make these decisions on her own without
16 actual help, so that would have to go through the probate
17 process. And so I do disagree with that because she is an
18 incapacitated person. And in that order, 2018, order, it
19 designates her as an incapacitated person. And plus, you
20 know, there's extra standing, too that if something funny
21 happened from -- from now till when she passes, he also has
22 standing with that to dispute it.

23 THE COURT: Okay.

24 MR. MCTIER: And -- and we believe that discovery is
25 going to show that a lot of these assets that should have

1 been on the -- the accounting, which did not take place. We
2 believe -- it didn't go to Craig. And to dismiss it at this
3 stage would be improper, Your Honor.

4 THE COURT: All right. All right. I'll let the Defense
5 (indiscernible). You have your chance to reply. Mr. Barth,
6 we'll start with you, sir.

7 MR. BARTH: Yes, sir. Thank you, Your Honor. A few
8 things I would like to mention and reply. We've -- we
9 acknowledge that the lawyer who closed this loan did not get
10 court approval to transfer the -- Ms. Hanna's interest.
11 However, even though that may be the case, Craig Hanna has
12 still no standing to bring an action in 2024, on behalf of
13 his mother. They have petitioned all the way to the Supreme
14 Court to have a guardian appointed, and that's denied.

15 A note for Your Honor, Craig Hanna has filed a similar
16 lawsuit against Bradley Hanna and a number of other
17 defendants alleging -- alleging personal claims for loss,
18 sort of like what would flow to him in the future. And all
19 of his individual claims have been dismissed by the Court of
20 Common Pleas in Florence County because he has no standing.
21 The fact that discovery may show X, Y, and Z, still does not
22 solve the problem that Mr. Craig Hanna, at the time he filed
23 this suit, he doesn't allege he's filing it in a
24 representative capacity -- if Your Honor, when you look at
25 the complaint, he does not allege any of these claims as

1 Ms. Jo Hanna's guardian.

2 He makes these claims on behalf of him, personally and
3 individually, solely because some of it, at some time in the
4 future might be his. And that is exactly what standing is
5 all about. And he can file it all he wants to, but until
6 somebody is authorized to file an action on behalf of
7 Ms. Hanna, Craig doesn't have any standing or authority or
8 power of attorney to file anything that would be on her
9 behalf. And you know, as I said, with the property they --
10 they can think whatever they want about it. The complaint
11 itself alleges personal, individual interest at some future
12 date, possibly. And as Mr. Hoefer said, really clearly, Your
13 Honor, something that may or may not happen in the future.
14 And as Your Honor noted, anything can be changed between now
15 and the passing if, you know, if a guardian is appointed,
16 they can still change whatever -- whatever they want.

17 They can transfer anything to anybody. But at the time
18 this action was filed and today, Your Honor, he doesn't
19 allege any authority to file this action for relief, which
20 clearly is on behalf of someone else. His is speculative at
21 best, as Your Honor correctly noted. If something happens
22 down the line and she passes away, and he believes he's an
23 heir, he can file it on his own behalf at that point. But
24 Ms. Jo Hanna may live until all her money is gone and then
25 all of this is moot. Craig can't preemptively try to -- try

1 to stop that. And I think Mr. Hoefer may tell you, I'm not
2 exactly positive, but I believe Wilkie bought the property
3 for the appraised value.

4 So there -- number one, there's going to be no damages
5 ever because she received her portion of the appraised value
6 and purchase price. And number two, Bradley Hanna had no
7 authority then or now, to bring any kind of action against
8 against Bradley Hanna or Wilkie for relief that is not done
9 in -- in a representative capacity. And he has no authority
10 to do that. I appreciate -- I appreciate, Your Honor, and I
11 can get a copy of the Common Pleas order to you in Florence
12 County, if Your Honor wishes to see that.

13 The only claim that survived was it's long and
14 complicated, but he, Mr. Craig Hanna, contends he is now the
15 personal representative of his father's estate, who died in
16 2011 and the estate was closed in '14. And they let that one
17 stand to have the probate court determine whether he was
18 appropriately named PR of his father's estate, not the
19 mother's. And that's the only one that survived anything
20 related to Ms. Jo Hanna. Ms. Georgia Jo Hanna, that Craig
21 claimed individually, was dismissed for lack of standing, a
22 lack of personal interest in the dispute.

23 THE COURT: All right. Mr. Hoefer, be happy to hear
24 from you sir in reply.

25 MR. HOEFER: Thank you, Your Honor. I'll be brief.

1 Respectfully to the Plaintiff's arguments, I think that we've
2 -- we've stepped a little bit into the merits of the factual
3 allegations and the claims. And you know, we're here arguing
4 standing, and but -- but even -- even if this property,
5 hypothetically, if this property was somehow improperly
6 conveyed, Ms. Georgia Hanna is the damaged party. And either
7 she must bring that claim or somebody with legal authority on
8 her behalf. The complaint doesn't make any reference to a
9 will. Even if it did, Ms. Georgia Hanna's alive. And this
10 is her claim to make. That -- I -- I don't want to get too
11 much further from that point.

12 I think when you boil everything down today, that --
13 that is the primary position, and that the law in South
14 Carolina on standing, we've already covered it. But what's
15 important is a future expectancy is not enough. And again,
16 there's no will in the complaint, there's no reference.
17 There's not an estate. I don't think being the former
18 guardian gives authority to bring a claim on behalf of
19 Ms. Hanna today. It would have to be Ms. Hanna or somebody
20 with legal authority on today, so I will leave it at that.
21 Thank you, Your Honor.

22 THE COURT: I'll give you the final word, Mr. McTier.

23 MR. MCTIER: All right. So it was pointed out regarding
24 the closing. Mr. Barth mentioned that the lawyer did not get
25 the order, but at the time, Bradley Hanna was a conservator.

1 Under the order he was supposed to do that, and did not do
2 so. And so I completely disagree with how that's -- that's
3 characterized. And also, I'm not sure about these -- these
4 other claims that Mr. Barth talked about properly before The
5 Court this morning on that. But the property, again, was
6 conveyed while he was the -- the guardian, and the injury
7 happened then. I mean, that -- that property interest is --
8 is gone.

9 We're not talking about some future, oh, it might be
10 gone. But it was -- it was gone at the time of that -- that
11 transfer. And as the guardian he was never notified. That
12 is wholly improper.

13 THE COURT: Why did he not bring this action as the
14 guardian then?

15 MR. MCTIER: Your Honor, at that time -- so he was -- if
16 he was notified while he was the guardian, he absolutely
17 would have. But he was not notified. He found out years
18 later that the property was -- was conveyed and at that point
19 he had been removed.

20 THE COURT: Oh, I thought it was conveyed in 2022, and
21 he wasn't removed until December of 2022.

22 MR. MCTIER: He found out after.

23 THE COURT: Okay.

24 MR. BARTH: Dates are correct, Your Honor.

25 THE COURT: Okay. Okay. All right. All right.

1 Anything further from any party? All right. Thank you.

2 I'll take it under advisement. Probably be in the next week

3 before I can get to it. I'm going to be out of circuit next

4 week. But I'm going to go back through your briefs again.

5 And I will review all the information, and we'll -- and

6 should have a ruling hopefully in the next week or so. Thank

7 you all, appreciate it.

8 MR. HOEFER: Thank you.

9 MR. MCTIER: Thank you.

10 MR. BARTH: Thank you for your time, Your Honor. You
11 have a good morning. We appreciate it. Thank you.

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22 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED.)
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24
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SC Court of Appeals

24

CERTIFICATE OF TRANSCRIBER

I, Pam Gray, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Chesterfield County, South Carolina, on the 7th day of June, 2025.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

September 19, 2025

Pam Gray

Pam Gray
Certified Transcriber

STATE OF SOUTH CAROLINA)
COUNTY OF CHESTERFIELD)
IN THE COURT OF COMMON PLEAS
FOURTH JUDICIAL CIRCUIT
CASE NO. 2024-CP-13-1093

Craig Hanna,

Plaintiff,

v.

Bradley J. Hanna and
Wilkie Development, LLC,

Defendants.

MOTION TO DISMISS

TO: THE PLAINTIFF ABOVE NAMED AND HIS ATTORNEY ATTORNEY, TY K. MCTIER, ESQUIRE:

YOU WILL PLEASE TAKE NOTICE THAT THE DEFENDANT, BRADLEY J. HANNA WILL MOVE BEFORE THE COURT, on the 10th day after service hereof, or as soon thereafter as the matter may be heard, for an Order of the Chesterfield County Court of Common Pleas dismissing the Complaint against this Defendant:

The bases for the within Motion include, but are not limited to the following:

1. Plaintiff is the brother of the Defendant herein and the son of Georgia Jo Hanna.
2. The property which is the subject of this action was owned by Georgia Jo Hanna and other members of her family at the time of the sale.
3. Neither then, nor now, has the Plaintiff ever had any ownership interest in and to the property, and thus has no standing to attempt to set aside the transfer or to allege various causes of action against this Defendant for alleged misconduct.
4. As a result, the Plaintiff has no claim or interest in and to the property and can t herefore not claim any damages or injuries as a result of the sale of this property.
5. Plaintiff claims, in his First Cause of Action, that Defendant, Bradley J. Hanna, breached his fiduciary duty to Georgia Jo Hanna and to the Plaintiff as to Plaintiff's "interest in the portion of Ms. Hanna's estate that would flow to him". (Complaint, paragraph 19).

6. There is no claim in South Carolina for an interest that may or may not accrue to him upon the death of his mother. The Plaintiff, and Defendant Hanna's, mother is still alive, such that this claim is premature at best. There is no guarantee that any interest in anything belonging to his mother will ever "flow through to him".
7. At the time this Complaint was filed, and as of today, Plaintiff was not a beneficiary nor a party to the transaction which resulted in the sale of this property, and therefore has no claim to damage or injuries from the sale.
8. Plaintiff lacks standing to bring this Complaint against the Defendants herein since he has no interest in the transaction or the property which is the subject thereof.
9. Defendant, Hanna, is informed and believes that the Plaintiff has failed to set forth facts that would entitle him to any relief from this Defendant and would respectfully request that the Complaint against Bradley J. Hanna be dismissed with prejudice.

Barth, Ballenger & Lewis, LLP

By: s/Kevin M. Barth
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Attorneys for Defendant Bradley J. Hanna

Florence, South Carolina
March 25, 2025

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHESTERFIELD	)	
Craig Hanna,	)	Case No. 2024-CP-13-01093
	)	
Plaintiff,	)	
	)	DEFENDANT WILKIE
vs.	)	DEVELOPMENT, LLC'S
	)	MOTION FOR JUDGMENT
Bradley J. Hann and Wilkie	)	ON THE PLEADINGS
Development, LLC,	)	
	)	
Defendants.	)	
	)	

TO: TY K. MCTIER, ESQUIRE, ATTORNEY FOR PLAINTIFF CRAIG HANNA:

Defendant Wilkie Development, LLC ("Defendant"), through its undersigned counsel, hereby moves this Court for judgment on the pleadings as to Plaintiff's Complaint, and specifically the causes of action for Declaratory Action to Quiet Title and Fraudulent Transfer brought against Defendant, pursuant to Rule 12(c), SCRPC. Defendant makes this Motion without waiving any other applicable defenses. The Complaint fails to set forth any specific factual allegations that would entitle Plaintiff to judgment or from which a court could reasonably infer that Defendant is liable to Plaintiff.

BACKGROUND

The subject of this action is the sale of property to Defendant. As evidenced by the Title to Real Estate dated February 3, 2022, and recorded with the Register of Deeds for Chesterfield County, South Carolina, on February 7, 2022 in Book 544 at Page 455, Brad Hanna as conservator for Georgia J. Hanna, Judy J. Speckman, Denise Herring as P.R. of the Estate of Betty J. Lundy, Zora J. Ritter, and Sandra J. Clodfelter together transferred property to Defendant for consideration (the "Deed"). The property conveyed by the Deed was that property in Chesterfield County that

includes a portion of TM No. 182-000-000-041 and a portion of TM No. 182-000-000-009, as more specifically described in the Deed (the “Property”). Plaintiff is the son of Georgia J. Hanna, one of the previous owners of the Property and whose interest was conveyed by Brad Hanna as her Court-appointed conservator.

Plaintiff commenced this action by filing the Complaint on December 20, 2024, against Defendant and Bradley J. Hanna (“B. Hanna”) alleging (1) Breach of Fiduciary Duty (as to B. Hanna only), (2) Constructive Fraud (as to B. Hanna only), (3) Declaratory Action to Quiet Title (as to Defendant and B. Hanna), and (4) Fraudulent Transfer (as to Defendant and B. Hanna).

Defendant filed an Answer to the Complaint on February 28, 2025, in which it asserted ownership of the Property and denied the allegations directed toward Defendant and that Plaintiff is entitled to any relief. Additionally, Defendant asserted defenses pursuant to Rule 12(b)(6) of the South Carolina Rules of Civil Procedure and a lack of standing, among other defenses.

STANDARD

After the pleadings are closed, but within such time as not to delay the trial, any party may move for judgment on the pleadings. Rule 12(c), SCRCPP. A judgment on the pleadings is proper where there is no issue of fact raised in a pleading that would entitle claimant to judgment if resolved in claimant’s favor. Sapp v. Ford Motor Co., 386 S.C. 143, 146, 687 S.E.2d 47, 49 (2009) (citing Russell v. Columbia, 305 S.C. 86, 89, 406 S.E.2d 338, 339 (1991)). Judgment on the pleadings is also proper where the pleadings are fatally deficient in substance or fail to state a good cause of action. Rosenthal v. Unarco Indus., Inc., 278 S.C. 420, 422, 297 S.E.2d 638, 640 (1982).

ANALYSIS

For a plaintiff to have standing to bring an action, three elements must be satisfied: (1) plaintiff must have suffered an injury-in-fact, which is a concrete, particularized, and actual or

imminent invasion of a legally protected interest; (2), a causal connection must exist between the injury and the challenged conduct; and (3) it must be likely that a favorable decision will redress the injury. Carnival Corp. v. Historic Ansonborough Neighborhood Ass'n., 407 S.C. 67, 75, 753 S.E.2d 846, 850 (2014) (*citing* Sea Pines Ass'n for the Prot. of Wildlife v. S.C. Dep't of Natural Res., 345 S.C. 594, 600-01, 550 S.E.2d 287, 291f-92 (2001)). “To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and ... actual or imminent” harm as required for a party to have standing. Beaufort Realty Co. v. Beaufort Cty., 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (*quoting* Lujan v. Defenders of Wildlife, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

In this case, Plaintiff sets forth no facts to reflect his ownership at any time in the Property or to evidence any interest in the Property at the time it was conveyed. Instead, according to his Complaint, Plaintiff alleges only that an interest in the Property “would flow to him.” (Complaint ¶ 19). However, Plaintiff sets forth no allegation or evidence that he had an actual interest in the Property or that there was any indication of a future interest in the Property. Even if Plaintiff represented his belief of a future interest, the “mere expectancy or future interest fails to satisfy” the requirements set forth in Lujan that there be a “concrete and particularized” and “actual or imminent” injury and not merely a “conjectural or hypothetical” one. Meehan v. Meehan, 2006 S.C. App. Unpub. LEXIS 28 *; 2006 WL 7285712.

Here, Plaintiff fails to show that he had an interest in the property or was in any way involved in the conveyance of the Property to Defendant. Plaintiff further fails to show how he

could have suffered an actual injury due to the sale of the Property. Thus, Plaintiff cannot satisfy the first element required to show that he has standing to bring this action or to challenge the conveyance or set aside the Deed. Therefore, the Complaint is fatally deficient in substance and fails to state a cause of action under which Plaintiff is entitled to relief even if the allegations in the Complaint are taken as true.

CONCLUSION

For the reasons set forth herein, Defendant is entitled to judgment on the pleadings as to Plaintiff's causes of action against it under Rule 12(c), SCRCP. Plaintiff lacks standing to challenge the sale of the Property, to which he has never had an interest. Therefore, there are no issues of fact raised in the Complaint that would entitle him to judgment in this action.

Respectfully submitted,

s/ C. Elizabeth Weston

Paul H. Hoefer [SC Bar # 77506]

C. Elizabeth Weston [SC Bar # 103305]

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*Attorneys for the Defendant Wilkie Development,
LLC*

April 23, 2025

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOURTH JUDICIAL CIRCUIT
COUNTY OF CHESTERFIELD	)	CASE NO. 2024-CP-13-1093
 Craig Hanna	)	
	)	
Plaintiff,	)	MEMORANDUM IN SUPPORT OF
	)	DEFENDANT BRADLEY'S
v.	)	MOTION TO DISMISS
	)	
Bradley J. Hanna and	)	
Wilkie Development, LLC,	)	
	)	
Defendants.	)	
_____	)	

This Memorandum is being submitted by the Defendant, Bradley J. Hanna, in support of his Motion to Dismiss filed on March 25, 2025. The various bases for this Motion will be outlined below.

FACTUAL BACKGROUND

Plaintiff is the brother of the Defendant, Defendant, Bradley J. Hanna, and is the son of Georgia Jo Hanna. The property which is the subject of this action was owned by Georgia Jo Hanna and other members of her family at the time of the sale to Wilkie Development, LLC. The decision to sell this property was made by the siblings of Georgia Jo Hanna, and upon information and belief, the property was sold for the appraised value of that parcel of land. At the time of the sale of the property, the property was owned solely by Georgia Jo Hanna and her siblings. Neither then, nor now, has the Plaintiff ever had any ownership interest in and to the property.

Upon the consummation of the property sale, the closing attorney divided the net proceeds evenly among the various siblings, including Georgia Jo Hanna. Her portion of the net proceeds was placed into her brokerage account, where it has been available to her as the owner of these

funds. Again, neither Plaintiff nor the Hanna Defendant had any interest in and to these sale proceeds, or the property prior to its sale.

Plaintiff has now filed the within action against Bradley J. Hanna and Wilkie Development, LLC, alleging causes of action for Breach of Fiduciary Duty, Constructive Fraud, Fraudulent Transfer of Property and Declaratory Judgment asking that the sale be set aside.

APPLICABLE LAW AND ARGUMENT

Pursuant to S.C.R.C.P., Rule 12(b)(1), upon information and belief, this Court does not have subject matter jurisdiction to hear this matter, as Plaintiff has no interest in and to the property which is the subject of this litigation or the sale proceeds and thus has no standing to bring an action for damages. Additionally, pursuant to S.C.R.C.P., Rule 12(b)(6), because Plaintiff has no standing to bring this lawsuit, he has failed to allege facts that would constitute a valid cause of action.

Additionally, after the pleadings are closed, but within such time as not to delay the trial, any party may move for judgment on the pleadings. Rule 12(c), SCRPC. A judgment on the pleadings is proper where there is no issue of fact raised in a pleading that would entitle claimant to judgment if resolved in claimant's favor. *Sapp v. Ford Motor Co.*, 386 S.C. 143, 146, 687 S.E.2d 47, 49 (2009) (citing *Russell v. Columbia*, 305 S.C. 86, 89, 406 S.E.2d 338, 339 (1991)). Judgment on the pleadings is also proper where the pleadings are fatally deficient in substance or fail to state a good cause of action. *Rosenthal v. Unarco Indus., Inc.*, 278 S.C. 420, 422, 297 S.E.2d 638, 640 (1982)

The Complaint should be dismissed based on several reasons including failure to state a claim on which relief may be granted. Although the Court must liberally construe the.....

Complaint and Plaintiff is not required to plead facts sufficient to prove his case as an evidentiary matter in the Complaint, the Complaint "must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" Ashcroft v. Iqbal, 556 U.S. 662 (2009) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007)). In other words, a plaintiff may proceed into the litigation process only when his complaint is justified by both law and fact. Francis v. Giacomelli, 588 F.3d 186, 193 (4th Cir. 2009). And, the law is that for Plaintiff to bring the within suit, he must have "standing" to do so.

The "irreducible constitutional minimum of standing" requires (1) "an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or hypothetical"; (2) "causation-a fairly traceable connection between the plaintiff's injury and the complained-of conduct of the defendant"; and (3) "redressability-a likelihood that the requested relief will redress the alleged injury." Steel Co. v. Citizens for a Better Env't, 523 U.S. 83, 102-03, 118 S.Ct. 1003, 140 L.Ed.2d 210 (1998) (internal quotation marks and citations omitted); see Friends of the Earth, Inc. v. Gaston Copper Recycling Corp., 204 F.3d 149, 154 (4th Cir.2000) (en banc) (same). "The standing doctrine, of course, depends not upon the merits, but on whether the plaintiff is the proper party to bring the suit." White Tail Park, Inc. v. Stroube, 413 F.3d 451, 460 (4th Cir.2005).

"To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest." *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a "concrete and particularized and ... actual or imminent" harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d

588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Defendant, Bradley J. Hanna, respectfully submits that this Plaintiff is not the proper party to bring this lawsuit, since he has no interest in and to the subject matter of this litigation. Even the Plaintiff admits this in his Complaint when he alleges that “Defendant, Bradley J. Hanna, breached his fiduciary duty to Georgia Jo Hanna and to the Plaintiff as to Plaintiff’s “interest in the portion of Ms. Hanna’s estate that would flow to him”. (Complaint, paragraph 19). Counsel for Bradley J. Hanna has been unable to find any South Carolina case that would substantiate a cause of action against someone for “**portions of an estate that may flow to him**”. (emphasis added).

Closely related to the issue of lack of standing is the fact that Plaintiff cannot claim any damages that would be due to him as a result of the sale of this property. As outlined above, Plaintiff must allege “an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or hypothetical”; *Steele Co. supra*. The only damage he claims is to that portion of his mother’s estate “that may flow to him” in the future. Thus, he has suffered no actual damages as a result of this sale and would therefore not be entitled to any compensatory damages.

Plaintiff’s First Cause of Action against Bradley J. Hanna is for Breach of Fiduciary Duty. The allegations in the Complaint claim that Bradley Hanna breached his fiduciary duty to the Plaintiff and their mother. First of all, Plaintiff has no standing to bring a cause of action on behalf of his mother. He is neither her Guardian nor her Conservator and has not been given any authority to take any action on her behalf.

As to Plaintiff’s claim that Bradley J. Hanna has breached a fiduciary duty to him, there are no allegations or facts giving rise to a fiduciary duty between these two parties. “A fiduciary

relationship is founded on the trust and confidence reposed by one person in the integrity and fidelity of another. A confidential or fiduciary relationship exists when one imposes a special confidence in another, so that the latter, in equity and good conscience, is bound to act in good faith and with due regard to the interests of the one imposing the confidence. To constitute a fiduciary relationship, the relationship must be more than a casual one. As a general rule, a fiduciary relationship cannot be established by the unilateral action of one party. The other party must have actually accepted or induced the confidence placed in him.” *See Doe v. Greenville County Sch. Dist.*, 375 S.C. 63, 651 S.E.2d 305 (2007). Civil Requests to Charge, Ralph King Anderson Jr., Section 17-1. As to the relationship between the Plaintiff and Defendant, Hanna, there is no fiduciary relationship described in the Complaint, nor is there one.

Plaintiff’s Second Cause of Action is for Constructive Fraud. To prove an action for fraud, the plaintiff must establish the following elements: 1) a representation; 2) its falsity; 3) its materiality; 4) knowledge of its falsity or a reckless disregard of its truth or falsity; 5) intent that the representation be acted upon; 6) the hearer's ignorance of its falsity; 7) the hearer's reliance on its truth; 8) the hearer's right to rely thereon; and 9) the hearer's consequent and proximate injury. Failure to prove any one of these elements is fatal. *Florentine Corp. v. PEDAI, Inc.*, 287 S.C. 382, 385-86, [339 S.E.2d 112](#), 113-14 (1985)(citations omitted). To establish constructive fraud, the plaintiff must establish all of the elements of actual fraud except the element of intent. *Ardis v. Cox*, 314 S.C. 512, 516, [431 S.E.2d 267](#), 269 (Ct. App. 1993).

The allegations in Plaintiff’s Complaint allege that the sales proceeds are not being used to take care of their mother, and he requests that the funds be placed “back in its proper owner, Ms. Hanna”. (Complaint, ¶. 22) As stated earlier, Plaintiff has no standing to bring an action on behalf of Ms. Hanna, and has no legal authority to request any relief on her behalf. Additionally, Plaintiff

is not requesting any relief on behalf of himself and as a result, this Cause of Action should be dismissed.¹

Plaintiff's Third Cause of Action is for Declaratory Relief and is requesting a judicial determination reversing the sale of the property in question and placing the property back into the names of the sellers. S.C. Code Section 15-53-30 provides as follows: "Any person interested under a deed, will, written contract or other writings constituting a contract or whose rights, status or other legal relations are affected by a statute, municipal ordinance, contract or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract or franchise and obtain a declaration of rights, status or other legal relations thereunder." S.C. Code Section 15-53-80 outlines the parties that are necessary when a Court is being asked to declare parties' rights, duties and obligation by providing as follows: "When declaratory relief is sought all persons shall be made parties who have or claim any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not parties to the proceeding."

Plaintiff's Cause of Action for Declaratory Judgment should be dismissed with prejudice for a number of reasons, including the fact that he has no interest in the subject matter which is the subject of this litigation, and the fact that the property was owned by Ms. Hanna and her siblings. None of the siblings have been named as parties to the litigation, and thus no Order emanating from this cause of action can affect their interests in and to the property and the proceeds of the sale of this property.

¹ This same argument is applicable as it relates to the Plaintiff's Fourth Cause of Action entitled "Fraudulent Transfer), and Defendant, Hanna is informed and believes that the Fourth Cause of Action should also be dismissed with prejudice.

CONCLUSION

Based upon the arguments and case law presented above, the Defendant, Bradley J. Hanna, would respectfully assert that the Plaintiff's Complaint against him be dismissed with prejudice. Additionally, Defendant, Bradley J. Hanna, would respectfully request that upon the dismissal of Plaintiff's Complaint, a hearing be set before the Court to address Hanna's Counterclaim against Plaintiff for violating the South Carolina Frivolous Civil Proceedings Act, S.C. Code Section 15-36-10, et.seq.

s/Kevin M. Barth

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Florence, South Carolina

April 24, 2025

STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS
2024CP1301093

CRAIG HANNA,

Plaintiffs,

v.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

BRIEF IN OPPOSITION

NOW COMES Plaintiff Craig Hanna (“Hanna or “Plaintiff/Counterclaim Defendant”), by and through undersigned counsel, submitting this brief in opposition to Defendant’s Motions to Dismiss/Judgment on the pleadings.

FACTUAL BACKGROUND

Craig Hanna was appointed the Guardian of Ms. Georgia Jo Hanna (“Ms. Hanna”) on December 27, 2018, and has since been removed as Guardian. At the time of the transaction at issue in this Court Hanna was still the Guardian. Bradley J. Hanna was appointed Conservator on December 27, 2018, and has since been removed as Conservator. At the time of the transfer of the property subject to this lawsuit, Bradley J. Hanna was the Conservator and clearly failed to follow the order (the “Order”) entered by Judge J. Munford Scott, Jr. for Florence County.

STANDARD OF REVIEW

A 12(b)(6) motion should be refused if “facts alleged and inferences reasonably deducible therefrom would entitle the plaintiff to any relief on any theory of the case.” *Stiles v. Onorato*, 318 S.C. 297, 300, 457 S.E.2d 601, 602 (1995). “The question is whether, in the light most favorable to the plaintiff, and with every doubt resolved in his behalf, the complaint states any valid claim

for relief.” *Plyler v. Burns*, 373 S.C. 637 (2007) quoting *Toussaint v. Ham*, 292 S.C. 415, 416, 357 S.E.2d 8, 9 (1987).

ARGUMENT

I. THE PROPERTY WAS SOLD IN CLEAR VIOLATION OF AN ORDER PROTECTING MS. HANNA.

As a threshold matter, the property sold in this case was transferred in direct violation of the Order. The Order states “Further, the Conservator may not change the character of the estate without court approval and shall expend assets of the Protected Person other than normal and routine living expenses of the Protected Person, only pursuant to court order.” Unfortunately, a large piece of property was conveyed not only extinguishing the Protected Person’s interest in the property, but also reducing the size of the estate of Ms. Hanna.

Not only does the Order set out how property is to be disposed, it also falls under S.C. Code § 62-5-423:

§ 62-5-423. Distributive duties and powers of conservator.

(A) A conservator may expend or distribute sums from the estate without further court authorization for the health, education, maintenance, and support of the protected person and his dependents in accordance with the following principles:

(1) The expenditures must be consistent with *a prior court-approved financial plan*.

(2) The conservator shall consider recommendations relating to the appropriate standard of health, education, maintenance, and support for the protected person made by a parent or guardian. The conservator may not be surcharged for sums paid to persons or organizations furnishing health,

education, maintenance, or support to the protected person pursuant to the recommendations of a parent or guardian unless the conservator has actual knowledge that the parent or guardian is deriving personal financial benefit from these payments, including relief from any personal duty of support, or unless the recommendations are clearly not in the best interests of the protected person. . . .

(5) If the conservator determines that it is reasonably necessary to supply funds to the protected person, the conservator may provide these funds to the protected person through reasonable financial methods, including, but not limited to, checks, currency, debit card, or allowance. *All funds so provided must be reported on the accountings as required by the court.*

S.C. Code § 62-5-423 *emphasis added*. Both under the Order and South Carolina law the sale should be declared void and Ms. Hanna’s interest in the property should be restored for further determination by the probate court as to the administration of her estate.

II. CRAIG HANNA HAS STANDING TO BRING THESE CLAIMS.

“A motion to dismiss for lack of standing challenges the court’s subject matter jurisdiction.” *S.C. Pub. Int. Found. v. Wilson*, 437 S.C. 334, 340, 878 S.E.2d 891, 894 (2022). The actions that give rise to this litigation happened when Bradley Hanna was the Conservator and owed a fiduciary duty both to Ms. Hanna (the protected person) and to his brother (also a beneficiary of her estate upon death). *See Turpin v. Lowther*, 404 S.C. 581 (S.C. Ct. App. 2013) (showing a fiduciary duty to beneficiaries when selling property of the estate). “That a fiduciary relationship exists between each heir or beneficiary of an estate and the administratrix thereof is fundamental.” *Witherspoon*

v. Stogner, 182 S.C. 413, 189 S.E. 758, 759 (1937); Also see *In re Chidester*, 524 B.R. 656, 666 (Bankr. W.D. Va. 2015) (Failure to follow final accounting for conservator was a breach of fiduciary duty). Further, under S.C. Code § 62-5-413 an individual that is interested in a protected person's welfare can petition the court and "[t]he court may take such action as considered reasonable and appropriate to protect the protected person." *Id.*

At the time of the transfer of property Mr. Hanna was the guardian of Ms. Hanna. Since then he has been removed (as well as Bradley Hanna as Conservator), however Ms. Hanna has upon information and belief, been without a Guardian since then. If it is found that Mr. Hanna does not have standing then the proper result would be to stay these proceedings until Ms. Hanna's guardian has been appointed and joined.

CONCLUSION

Mr. Hanna seeks to protect his mother and ensure that her estate remains intact. For the foregoing reasons the Court should deny the motions to dismiss.

This the 1st day of May, 2025.

McTIER LAW, PLLC

/s/TY K. MCTIER

Ty K. McTier

8410 Pit Stop Ct. NW, Ste. 126

Concord, NC 28027

tmctier@mctierlaw.com

STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS
2024CP1301093

CRAIG HANNA,

Plaintiffs,

v.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

**MOTION TO STAY PROCEEDINGS
PENDING APPOINTMENT OF
GUARDIAN/CONSERVATOR**

NOW COMES Plaintiff Craig Hanna (“Hanna or “Plaintiff/Counterclaim Defendant”), by and through undersigned counsel, moving this Court for a stay of the proceedings until Georgia Jo Hanna is appointed a current Guardian and Conservator. In support thereof Hanna shows the court:

1. Craig Hanna was appointed the Guardian of Ms. Georgia Jo Hanna (“Ms. Hanna”) on December 27, 2018 and has since been removed as Guardian. At the time of the transaction at issue in this Court Hanna was still the Guardian.
2. Bradley J. Hanna was appointed Conservator on December 27, 2018, and has since been removed as Conservator.
3. At the time of the transfer of the property subject to this lawsuit, Bradley J. Hanna was the Conservator and clearly failed to follow the order entered by Judge J. Munford Scott, Jr. for Florence County.
4. Now Bradley Hanna and Wilkie Development, LLC are attempting to dismiss because of the standing of Bradley Hanna’s brother and immediate family member and interested person, however Ms. Hanna has not been appointed a replacement Guardian/Conservator.

WHEREFORE, Plaintiff respectfully prays the Court for relief as follows:

- 1) That any matter that would need to be brought by Ms. Hanna’s Guardian/Conservator be stayed pending the appointment of such protectors; and
- 2) For such other and further relief as the Court shall deem just and proper.

This the 1st day of May, 2025.

McTIER LAW, PLLC

/s/TY K. MCTIER

Ty K. McTier

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Concord, NC 28027

tmctier@mctierlaw.com

STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS
2024CP1301093

CRAIG HANNA,

Plaintiffs,

v.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

PLAINTIFF'S MOTION TO RECONSIDER

NOW COMES Plaintiff Craig Hanna ("Hanna or "Plaintiff/Counterclaim Defendant"), by and through undersigned counsel, submitting this Motion to Reconsider under Rule 59(e) of the South Carolina Rules of Civil Procedure (the "Motion") of the Court's granting of the Motions to Dismiss and Motion for Judgment on the Pleadings (see attached orders). In support thereof Plaintiff shows the following:

1. Craig Hanna was appointed the Guardian of Ms. Georgia Jo Hanna ("Ms. Hanna") on December 27, 2018 and has since been removed as Guardian. At the time of the transaction at issue in this Court Hanna was still the Guardian. Bradley J. Hanna was appointed Conservator on December 27, 2018 and has since been removed as Conservator.
2. At the time of the transfer of the property subject to this lawsuit, Bradley J. Hanna was the Conservator and clearly failed to follow the order (the "Order") entered by Judge J. Munford Scott, Jr. for Florence County.
3. It cannot be understated that the property sold in this case was transferred in direct violation of a court Order. The Order states "Further, the Conservator may not change the character of the estate without court approval and shall expend assets of the

Protected Person other than normal and routine living expenses of the Protected Person, only pursuant to court order.”

4. No such court order was procured or even attempted prior to the sale of the Property at issue in this case.
5. At the time of the transfer of property Mr. Hanna was the guardian of Ms. Hanna. Since then he has been removed (as well as Bradley Hanna as Conservator), however Ms. Hanna has been without a Guardian since then.
6. The Court should reconsider its position in total, but especially since the Orders were granted pursuant to standing.
7. Until Ms. Hanna is appointed a Guardian or Conservator the proper ruling would be to stay these proceedings until Ms. Hanna’s guardian has been appointed and joined or at least until a hearing on the Motion to Stay (attached) has been heard.

WHEREFORE, Plaintiff prays that the Court:

1. Reconsider and overrule its prior orders; and alternatively
2. Reserve the rulings until the Motion to Stay has been heard.

Respectfully submitted this the 28th day of May, 2025.

McTIER LAW, PLLC

/s/TY K. McTIER

Ty K. McTier

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Concord, NC 28027

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Outlook

Courtesy NEF RE: 2024CP1301093

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A filing has been submitted to the court RE: 2024CP1301093**Official File Stamp:** 05-19-2025 10:40:06 AM**Court:** CIRCUIT COURT
Common Pleas
Chesterfield**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al**Document(s) Submitted:** Order/Electronic Form 4 - Motion to Dismiss is Granted
Order/Electronic Form 4 - Motion to Dismiss is Granted. Formal
Order within 10 days**Filed by or on behalf of:** William C McMaster, III

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Christopher Lee Boguski for Wilkie Development, Llc
Kevin Mitchell Barth for Bradley J. Hanna
Ty Kimmell McTier for Craig Hanna

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Common Pleas  
Chesterfield**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al**Document(s) Submitted:** Order/Electronic Form 4 - Motion for Judgment is Granted  
Order/Electronic Form 4 - Motion for Judgment on Pleadings is Granted**Filed by or on behalf of:** William C McMaster, III

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STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS
2024CP1301093

CRAIG HANNA,

Plaintiffs,

v.

BRADLEY J. HANNA and WILKIE
DEVELOPMENT, LLC,

Defendants.

**MOTION TO STAY PROCEEDINGS
PENDING APPOINTMENT OF
GUARDIAN/CONSERVATOR**

NOW COMES Plaintiff Craig Hanna ("Hanna or "Plaintiff/Counterclaim Defendant"), by and through undersigned counsel, moving this Court for a stay of the proceedings until Georgia Jo Hanna is appointed a current Guardian and Conservator. In support thereof Hanna shows the court:

1. Craig Hanna was appointed the Guardian of Ms. Georgia Jo Hanna ("Ms. Hanna") on December 27, 2018 and has since been removed as Guardian. At the time of the transaction at issue in this Court Hanna was still the Guardian.
2. Bradley J. Hanna was appointed Conservator on December 27, 2018, and has since been removed as Conservator.
3. At the time of the transfer of the property subject to this lawsuit, Bradley J. Hanna was the Conservator and clearly failed to follow the order entered by Judge J. Munford Scott, Jr. for Florence County.
4. Now Bradley Hanna and Wilkie Development, LLC are attempting to dismiss because of the standing of Bradley Hanna's brother and immediate family member and interested person, however Ms. Hanna has not been appointed a replacement Guardian/Conservator.

WHEREFORE, Plaintiff respectfully prays the Court for relief as follows:

- 1) That any matter that would need to be brought by Ms. Hanna's Guardian/Conservator be stayed pending the appointment of such protectors; and
- 2) For such other and further relief as the Court shall deem just and proper.

Protected Person other than normal and routine living expenses of the Protected Person, only pursuant to court order.”

4. No such court order was procured or even attempted prior to the sale of the Property at issue in this case.
5. At the time of the transfer of property Mr. Hanna was the guardian of Ms. Hanna. Since then he has been removed (as well as Bradley Hanna as Conservator), however Ms. Hanna has been without a Guardian since then.
6. The Court should reconsider its position in total, but especially since the Orders were granted pursuant to standing.
7. Until Ms. Hanna is appointed a Guardian or Conservator the proper ruling would be to stay these proceedings until Ms. Hanna’s guardian has been appointed and joined or at least until a hearing on the Motion to Stay (attached) has been heard.

WHEREFORE, Plaintiff prays that the Court:

1. Reconsider and overrule its prior orders; and alternatively
2. Reserve the rulings until the Motion to Stay has been heard.

Respectfully submitted this the 28th day of May, 2025.

McTIER LAW, PLLC

/s/TY K. McTIER

Ty K. McTier

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Order within 10 days**Filed by or on behalf of:** William C McMaster, III

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|                          |   |                                 |
|--------------------------|---|---------------------------------|
| STATE OF SOUTH CAROLINA  | ) | IN THE COURT OF COMMON PLEAS    |
|                          | ) | FOURTH JUDICIAL CIRCUIT         |
| COUNTY OF CHESTERFIELD   | ) | CASE NO. 2024-CP-13-1093        |
| <br>Craig Hanna          | ) |                                 |
|                          | ) |                                 |
| Plaintiff,               | ) | <b>MEMORANDUM IN OPPOSITION</b> |
|                          | ) | <b>TO PLAINTIFF'S MOTION TO</b> |
| v.                       | ) | <b>RECONSIDER AND/OR STAY</b>   |
|                          | ) |                                 |
| Bradley J. Hanna and     | ) |                                 |
| Wilkie Development, LLC, | ) |                                 |
|                          | ) |                                 |
| Defendants.              | ) |                                 |
| _____                    | ) |                                 |

The Defendant, Bradley J. Hanna, hereby responds to the Plaintiff's Motion to Reconsider and Motion to Stay as follows:

1. The Plaintiff's Motion to Reconsider should be denied because the Court has already considered the "standing" issue and properly determined that the Plaintiff did not have legal standing to bring the within lawsuit at the time this litigation was filed, nor does he have standing to do so now.
2. Additionally, regardless of the fact that the property was sold without a Probate Court Order approving the sale does not alter the fact that Plaintiff has no legal standing to bring this lawsuit. The undersigned would respectfully ask the Court to note that the Plaintiff's Motion does not even address the issue of how the Plaintiff would have standing to bring this lawsuit at the time it was brought, or now.
3. The Plaintiff attempts to confuse the issue of not having the sale approved, with his legal ability to bring this litigation. Had he brought the litigation at the time he was the duly appointed Guardian, Plaintiff may have had standing at that point. However, once he was removed as Guardian, his authority to act on his mother's behalf ended.

4. Respectfully, Defendant Hanna submits that the Plaintiff has presented no authority and no facts which would warrant this Court to reconsider or modify its Order Dismissing Plaintiff's Complaint.
5. As to the Motion to Stay, Defendant Hanna respectfully submits that there is no reason to stay this litigation until some future date at which time someone may file a Petition to be appointed Guardian/Conservator for Ms. Hanna. The more appropriate way to resolve that matter would be IF AND WHEN someone decides to Petition the appropriate Court to become Guardian or Conservator, that person can file this same action at that time. To stay this matter effectively would mean that this case would remain on the Court's roster for an undetermined amount of time, in the future, in the event, that someone files a Petition in the Probate Court at some time in the future.
6. Respectfully, Defendant Hanna submits that judicial economy demands that this Court deny the Plaintiff's Motion to Stay.
7. S.C.R.C.P., Rule 59 provides that "The motion may in the discretion of the court be determined on briefs filed by the parties without oral argument." Defendant respectfully asserts that the Court should determine the Plaintiff's Rule 59 Motions without a hearing, as the issues have been fully briefed by the parties, and oral argument would not aid the Court in making a decision.

### **CONCLUSION**

Based upon the arguments and case law presented above, the Defendant, Bradley J. Hanna, would respectfully assert that the Plaintiff's Motion to Reconsider and his Motion to Stay be denied. Additionally, Defendant, Bradley J. Hanna, would respectfully request that upon the

dismissal of Plaintiff's Complaint, a hearing be set before the Court to address Hanna's Counterclaim against Plaintiff for violating the South Carolina Frivolous Civil Proceedings Act, S.C. Code Section 15-36-10, et.seq.

*s/Kevin M. Barth*

Kevin M. Barth S.C. Bar #559  
Attorney For Defendant, Bradley J. Hanna  
Post Office Box 107  
Florence, South Carolina 29503  
(843) 662-6301  
[kbarth@bblawsc.com](mailto:kbarth@bblawsc.com)

Florence, South Carolina

May 29, 2025

STATE OF SOUTH CAROLINA )  
COUNTY OF CHESTERFIELD )

IN THE COURT OF COMMON PLEAS

Craig Hanna, )  
Plaintiff, )

Case No. 2024-CP-13-01093

vs. )

**DEFENDANT WILKIE  
DEVELOPMENT, LLC'S  
MEMORANDUM IN OPPOSITION TO  
PLAINTIFF'S MOTION TO ALTER  
OR AMEND JUDGMENT**

Bradley J. Hann and Wilkie )  
Development, LLC, )  
Defendants. )

Defendant Wilkie Development, LLC ("Defendant"), through its undersigned counsel, submits this Memorandum in Opposition to Plaintiff's Motion to Alter or Amend Judgment filed on May 28, 2025 ("Plaintiff's Motion"). In opposition to Plaintiff's Motion, and in support of the Court's Order entered on May 29, 2025, granting Defendant's Motion for Judgment on the Pleadings pursuant to Rule 12(c), SCRCF ("Court's Order"), Defendant would respectfully show the Court as follows.

Rule 59(e) in the South Carolina and federal rules of civil procedure is practically identical. *Elam v. S.C. DOT*, 361 S.C. 9, 22, 602 S.E.2d 772, 779 (2004). The purpose of Rule 59(e), SCRCF, to alter or amend the judgment is to request the judge to reconsider matters properly encompassed in a decision on the merits. *Arnold v. State*, 309 S.C. 157, 420 S.E.2d 834 (1992). There are three circumstances in which the district court may grant a Rule 59(e) motion: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." *United States ex rel. Becker v. Westinghouse Savannah River Co.*, 305 F.3d 284, 290 (4th Cir. 2002) (omitting internal citations).

In the present case, this Court properly granted Defendant's Motion for Judgment on the Pleadings because Plaintiff failed to establish legal standing to bring the claims asserted. Plaintiff has since failed to present any change in controlling law, new evidence, or indication of a clear error of law or manifest injustice. In sum, Plaintiff's Motion sets forth no basis for this Court to alter or amend its ruling that Plaintiff lacks standing to bring the claims asserted. Therefore, Plaintiff's Motion to Alter or Amend the Judgment should be denied.

Respectfully submitted,

s/ Paul H. Hoefer

Paul H. Hoefer [SC Bar # 77506]

C. Elizabeth Weston [SC Bar # 103305]

ROBINSON GRAY STEPP & LAFFITTE, LLC

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[lweston@robinsongray.com](mailto:lweston@robinsongray.com)

*Attorneys for the Defendant Wilkie Development,  
LLC*

May 30, 2025

STATE OF SOUTH CAROLINA  
COUNTY OF CHESTERFIELD

IN THE COURT OF COMMON PLEAS  
2024CP1301093

CRAIG HANNA,

*Plaintiffs,*

v.

BRADLEY J. HANNA and WILKIE  
DEVELOPMENT, LLC,

*Defendants.*

**PLAINTIFF'S NOTICE OF APPEAL**

PLEASE TAKE NOTICE that, pursuant to Rule 203 of the South Carolina Rules of Appellate Procedure, Plaintiff Craig Hanna, hereby appeals to the South Carolina Court of Appeals from the following orders:

The Order signed by the Honorable William C. McMaster, III, Circuit Court Judge on May 19, 2025, and entered into the record on May 19, 2025 with a Formal Order being entered on May 29, 2025. A copy of the order is attached hereto as **Exhibit A**.

The Order signed by the Honorable William C. McMaster, III, Circuit Court Judge on May 19, 2025, and entered into the record on May 19, 2025 with a Formal Order being entered on May 29, 2025. A copy of the order is attached hereto as **Exhibit B**.

The Order signed by the Honorable William C. McMaster, III, Circuit Court Judge, on June 18, 2025, and entered into the record on June 18, 2025 denying Plaintiff's motion to reconsider both prior dismissals. A copy of the order is attached hereto as **Exhibit C**.

This the 10<sup>th</sup> day of **July**, 2025.

By: /s/Ty K. McTier  
Ty K. McTier  
N.C. Bar. No. 49401  
McTier Law, PLLC  
8410 Pit Stop Ct. NW, Ste. 126  
Concord, NC 28027  
tmctier@rntierlaw.com  
*Attorney for Plaintiff*



Outlook

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**Courtesy NEF RE: 2024CP1301093**

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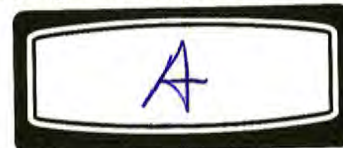
**A filing has been submitted to the court RE: 2024CP1301093****Official File Stamp:** 05-19-2025 10:40:06 AM**Court:** CIRCUIT COURT  
Common Pleas  
Chesterfield**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al**Document(s) Submitted:** Order/Electronic Form 4 - Motion to Dismiss is Granted  
Order/Electronic Form 4 - Motion to Dismiss is Granted. Formal  
Order within 10 days**Filed by or on behalf of:** William C McMaster, III

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| | | |
|--------------------------|---|-----------------------------------|
| STATE OF SOUTH CAROLINA |) | IN THE COURT OF COMMON PLEAS |
| |) | FOURTH JUDICIAL CIRCUIT |
| COUNTY OF CHESTERFIELD |) | CASE NO. 2024-CP-13-1093 |
| Craig Hanna |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER DISMISSING COMPLAINT |
| |) | (Order Ending Plaintiff's Case) |
| Bradley J. Hanna and |) | |
| Wilkie Development, LLC, |) | |
| |) | |
| Defendants. |) | |

DATE OF HEARING.....MAY 7, 2025
TRIAL JUDGE.....HONORABLE WILLIAM C. McMASTER, III
PLAINTIFF'S ATTORNEY.....TY McTIER
DEFENDANT HANNA'S ATTORNEY.....KEVIN M. BARTH
DEFENDANT WILKIE'S ATTORNEY.....PAUL HOEFER

This matter is before the Court pursuant to the Motion to Dismiss filed by the Defendant, Bradley J. Hanna, on March 25, 2025, as well as the Motion for Judgment on the Pleadings filed by the Defendant, Wilkie Development, LLC on April 23, 2025.

Both Motions are based upon the claim that the Plaintiff has no legal standing to bring this action, since he had no interest in and to the property which is the subject of this action. The property in question belonged to Georgia Jo Hanna, the mother of the Plaintiff and Defendant, Bradley J. Hanna. All attorneys of record appeared at the hearing and presented oral arguments setting forth the respective positions of the parties. Additionally, the parties presented the Court with Memoranda setting forth the caselaw and facts supporting the respective positions.

Based upon the arguments of counsel, as well as a careful review of the entire file in this matter, I find that the Defendant Hanna's Motion to Dismiss should be granted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Plaintiff is the brother of the Defendant, Defendant, Bradley J. Hanna, and both are the sons of Georgia Jo Hanna. The property which is the subject of this action was owned by Georgia Jo Hanna and other members of her family at the time of the sale to Wilkie Development, LLC. Neither then, nor now, has the Plaintiff ever had any ownership interest in and to the property or the proceeds of the sale.

At the time of the sale of the property, Plaintiff was the Guardian for Ms. Hanna and Bradley was the Conservator for her. The sale was an arm's length transaction. Although it does not affect this action in any fashion, or this Court's decision, the sale of the property was not approved by the Probate Court as was required by the Order Appointing Bradley Hanna as Conservator. Again, whether or not the sale of the property was approved by the Probate Court does not change the fact that neither Plaintiff nor the Hanna Defendant had any interest in and to these sale proceeds, or the property prior to its sale.

Pursuant to S.C.R.C.P., Rule 12(b)(1), this Court does not have subject matter jurisdiction to hear this matter, as Plaintiff has no interest in and to the property which is the subject of this litigation or the sale proceeds and thus has no legal standing to bring an action for damages, or to set aside the sale. Additionally, pursuant to S.C.R.C.P., Rule 12(b)(6), because Plaintiff has no standing to bring this lawsuit, he has failed to allege facts that would constitute a valid cause of action. In other words, a plaintiff may proceed into the litigation process only when his complaint is justified by both law and fact. *Francis v. Giacomelli*, 588 F.3d 186, 193 (4th Cir. 2009). And the law is that for Plaintiff to bring the within suit, he must have "standing" to do so.

The "irreducible constitutional minimum of standing" requires (1) "an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or

hypothetical”; (2) “causation-a fairly traceable connection between the plaintiff’s injury and the complained-of conduct of the defendant”; and (3) “redressability-a likelihood that the requested relief will redress the alleged injury.” *Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 102-03, 118 S.Ct. 1003, 140 L.Ed.2d 210 (1998) (internal quotation marks and citations omitted); see *Friends of the Earth, Inc. v. Gaston Copper Recycling Corp.*, 204 F.3d 149, 154 (4th Cir.2000) (en banc) (same). “The standing doctrine, of course, depends not upon the merits, but on whether the plaintiff is the proper party to bring the suit.” *White Tail Park, Inc. v. Stroube*, 413 F.3d 451, 460 (4th Cir.2005).

“To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm’n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and . . . actual or imminent” harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Closely related to the issue of lack of standing is the fact that Plaintiff cannot claim any damages that may be due to him as a result of the sale of this property. Plaintiff must allege “an injury in fact-a harm suffered by the plaintiff that is concrete and actual or imminent, not conjectural or hypothetical”, *Steele Co. supra*. The only damage Plaintiff claims in his Complaint is that he has been damaged by alleged losses that may occur in the future in the event he inherits from his mother upon her death. Plaintiff and Defendant Hanna’s mother is still alive. Thus, Plaintiff has suffered no actual damages as a result of this sale and would therefore not be entitled to any compensatory damages.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the Plaintiff's Complaint in this matter be dismissed without prejudice.

IT IS FURTHER ORDERED ADJUDGED AND DECREED THAT Defendant, Bradley J. Hanna's Counterclaim remain pending until that claim is heard by the Court.

AND IT IS SO ORDERED!

William C. McMaster, III
Circuit Judge, Fourth Judicial Circuit

_____, South Carolina

_____, 2025



Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al
Case Number: 2024CP1301093
Type: Order/Other

So Ordered

William C. McMaster, III

Electronically signed on 2025-05-28 15:37:12 page 5 of 5



Outlook

Courtesy NEF RE: 2024CP1301093**From** efiledonotreply@sccourts.org <efiledonotreply@sccourts.org>**Date** Mon 5/19/2025 12:51 PM**To** Ty McTier <tmctier@mctierlaw.com>**Cc** Admin McTier Law <abowman@mctierlaw.com>

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A filing has been submitted to the court RE: 2024CP1301093**Official File Stamp:** 05-19-2025 12:51:22 AM

Court: CIRCUIT COURT
Common Pleas
Chesterfield

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al

Document(s) Submitted: Order/Electronic Form 4 - Motion for Judgment is Granted
Order/Electronic Form 4 - Motion for Judgment on Pleadings is Granted

Filed by or on behalf of: William C McMaster, III

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Clara Elizabeth Weston for Wilkie Development, Llc
Paul Hamilton Hoefer for Wilkie Development, Llc
Christopher Lee Boguski for Wilkie Development, Llc
Kevin Mitchell Barth for Bradley J. Hanna
Ty Kimmell McTier for Craig Hanna

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STATE OF SOUTH CAROLINA )  
COUNTY OF CHESTERFIELD )  
Craig Hanna, )  
) )  
Plaintiff, )  
) )  
vs. )  
) )  
Bradley J. Hann and Wilkie )  
Development, LLC, )  
) )  
Defendants. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS

Case No. 2024-CP-13-01093

**ORDER GRANTING  
DEFENDANT WILKIE  
DEVELOPMENT, LLC'S  
MOTION FOR JUDGMENT  
ON THE PLEADINGS**

THIS MATTER is before the Court on the Motion for Judgment on the Pleadings pursuant to Rule 12(c), SCRCP (the "Motion"), of Defendant Wilkie Development, LLC ("Defendant" or "Wilkie Development").

This Court heard the Motion on May 7, 2025, via Webex and the Court's virtual courtroom. Ty McTier appeared on behalf of the Plaintiff Craig Hanna, Kevin Barth appeared on behalf of Defendant Bradley J. Hanna ("B. Hanna"), and Paul Hoefer appeared on behalf of Wilkie Development. The Motion was granted via Form 4 Order entered May 18, 2025. This Order follows.

**BACKGROUND**

Plaintiff commenced this action by filing a Summons and Complaint on December 20, 2024, against B. Hanna and Wilkie Development asserting claims for (1) Breach of Fiduciary Duty (as to B. Hanna only), (2) Constructive Fraud (as to B. Hanna only), (3) Declaratory Action to Quiet Title (as to B. Hanna and Wilkie Development), and (4) Fraudulent Transfer (as to B. Hanna and Wilkie Development).

At the core of the Complaint, Plaintiff seeks an Order setting aside a conveyance evidenced by a deed dated February 3, 2022, and recorded on February 7, 2022 with the Register of Deeds for Chesterfield County, South Carolina in Book 544 at Page 455 (the “Subject Deed”). The grantors of the Subject Deed are B. Hanna as conservator for Georgia J. Hanna, Judy J. Speckman, Denise Herring as P.R. of the Estate of Betty J. Lundy, Zora J. Ritter, and Sandra J. Clodfelte. The grantee of the Subject Deed is Wilkie Development. The property conveyed by the Subject Deed includes a portion of TM No. 182-000-000-041 and a portion of TM No. 182-000-000-009, as more specifically described in the Deed (the “Property”).

According to allegations of the Complaint, Plaintiff is the son of Georgia J. Hanna, one of the previous owners of the Property and whose interest was conveyed by B. Hanna as her Court-appointed conservator.

Wilkie Development filed its responsive Answer on February 28, 2025. Thereafter, on April 23, 2025, Wilkie Development filed its Motion for Judgment on the Pleadings, pursuant to Rule 12(c), SCRCPP, contending the Complaint fails to set forth any allegations that would entitle Plaintiff to judgment, and more specifically that Plaintiff lacks standing to bring this action or to challenge the conveyance or set aside the Subject Deed.

#### **STANDARD**

After the pleadings are closed, but within such time as not to delay the trial, any party may move for judgment on the pleadings. Rule 12(c), SCRCPP. A judgment on the pleadings is proper where there is no issue of fact raised in a pleading that would entitle claimant to judgment if resolved in claimant’s favor. *Sapp v. Ford Motor Co.*, 386 S.C. 143, 146, 687 S.E.2d 47, 49 (2009) (citing *Russell v. Columbia*, 305 S.C. 86, 89, 406 S.E.2d 338, 339 (1991)). Judgment on the

pleadings is also proper where the pleadings are fatally deficient in substance or fail to state a good cause of action. *Rosenthal v. Unarco Indus., Inc.*, 278 S.C. 420, 422, 297 S.E.2d 638, 640 (1982).

### ANALYSIS

For a plaintiff to have standing to bring an action, three elements must be satisfied: (1) plaintiff must have suffered an injury-in-fact, which is a concrete, particularized, and actual or imminent invasion of a legally protected interest; (2), a causal connection must exist between the injury and the challenged conduct; and (3) it must be likely that a favorable decision will redress the injury. *Carnival Corp. v. Historic Ansonborough Neighborhood Ass'n.*, 407 S.C. 67, 75, 753 S.E.2d 846, 850 (2014) (citing *Sea Pines Ass'n for the Prot. of Wildlife v. S.C. Dep't of Natural Res.*, 345 S.C. 594, 600-01, 550 S.E.2d 287, 291f-92 (2001)). “To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and ... actual or imminent” harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Here, Plaintiff has failed to set forth facts evidencing any ownership interest in the Property or any legitimate future interest he may have in the Property, and Plaintiff has failed to show actual injury suffered from the conveyance of the Property. Instead, Plaintiff alleges only that an interest in the Property “would flow to him.” (Complaint ¶ 19). Even if Plaintiff alleged a legitimate future interest he may have in the Property, the “mere expectancy or future interest fails to satisfy” the requirements set forth in *Lujan* that there be a “concrete and particularized” and “actual or

imminent” injury and not merely a “conjectural or hypothetical” one. *Meehan v. Meehan*, 2006 S.C. App. Unpub. LEXIS 28 \*; 2006 WL 7285712.

Therefore, Plaintiff lacks standing to challenge the validity of the Subject Deed, and the Complaint fails to state a cause of action under which Plaintiff is entitled to relief against Wilkie Development. Accordingly, the Court grants the Motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Wilkie Development is entitled to judgment on the pleadings in this action, and all of Plaintiff’s claims asserted against Wilkie Development in this action are dismissed.

AND IT IS SO ORDERED.

[Judge’s signature page follows]



Chesterfield Common Pleas

**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al  
**Case Number:** 2024CP1301093  
**Type:** Order/Other

So Ordered

William C. McMaster, III

Electronically signed on 2025-05-28 15:37:07 page 5 of 5



Outlook

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**Courtesy NEF RE: 2024CP1301093**

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**From** efiledonotreply@sccourts.org <efiledonotreply@sccourts.org>  
**Date** Wed 6/18/2025 3:17 PM  
**To** Ty McTier <tmctier@mctierlaw.com>  
**Cc** Admin McTier Law <abowman@mctierlaw.com>

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**A filing has been submitted to the court RE: 2024CP1301093**

**Official File Stamp:** 06-18-2025 03:17:06 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Chesterfield  
**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al  
**Document(s) Submitted:** Order/Electronic Form 4 - Motion to Reconsider Denied  
Order/Electronic Form 4 - Motion to Reconsider Denied  
**Filed by or on behalf of:** William C McMaster, III

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**The following people were served electronically:**

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Paul Hamilton Hoefer for Wilkie Development, Llc  
Christopher Lee Boguski for Wilkie Development, Llc  
Kevin Mitchell Barth for Bradley J. Hanna  
Ty Kimmell McTier for Craig Hanna

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FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Chesterfield
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP1301093

Craig Hanna
PLAINTIFF(S)

Bradley J. Hanna et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (*CHECK REASON*): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (*CHECK APPLICABLE BOX*):
☐ Affirmed; ☐ Reversed; ☐ Remanded;
☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

After careful consideration of the able argument and filings of counsel and review of the record, the Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or fact not appropriately considered. Accordingly, the Plaintiff's Motion to Reconsider is Denied.

It Is So Ordered.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/18/2025 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Chesterfield Common Pleas

Case Caption: Craig Hanna VS Bradley J. Hanna , defendant, et al
Case Number: 2024CP1301093
Type: Order/Electronic Form 4

So Ordered

William C. McMaster, III

Electronically signed on 2025-06-18 14:50:02 page 3 of 3

Rule 210(g), SCACR Certification:

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted this the 20th day of February, 2026.

MCTIER LAW, PLLC

/S/TY K. MCTIER

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